The Washington Monthly

SEPTEMBER 1981/$2

Helicopters: The Worst Weapon of Them All

Grandpa Beware: How to Fleece 13 Million Senior Citizens

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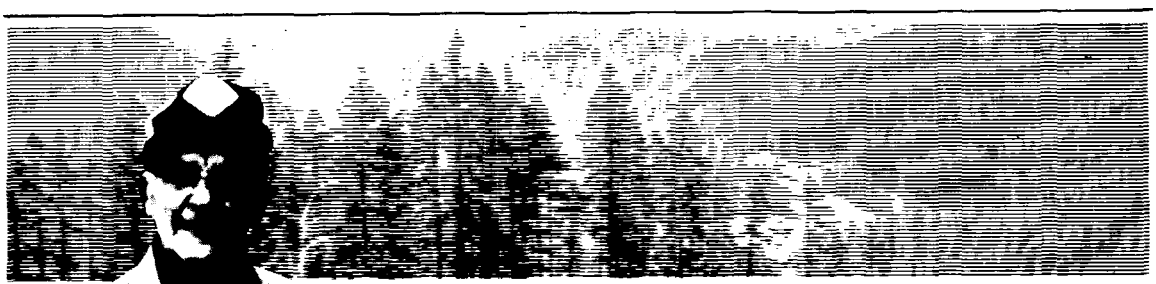
"IF WE'RE TRYING TO GET OUR ECONOMY OUT OF THE WOODS, WHY DON'T WE MAKE THE MOST OF OUR FORESTS?"



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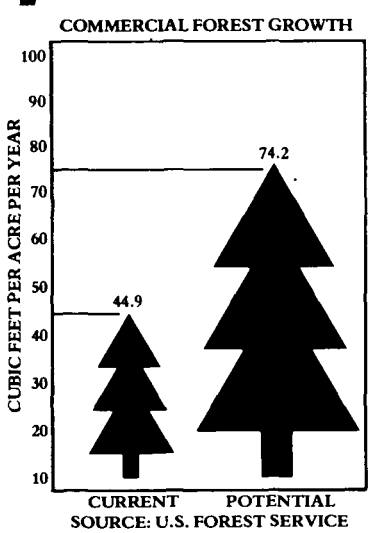

*"Commercial forest" is all forest land that is capable of, and available for, growing repeated crops of trees for harvest. It includes land in National Forests but not in National Parks or Wilderness areas.

THERE'S A GROWING POTENTIAL IN OUR FORESTS.

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Letters

The Gilder Age

In "The Evolution of the Conservative Mind" [May], Nicholas Lemann has couched an excellent review of George Gilder's work in a fundamentally flawed history of American conservatism. He argues that since the 1950s, American conservatism has undergone a "complete topsy-turvy change," moving from an anticapitalist, elitist traditionalism (e.g., Russell Kirk) to a stance that is enthusiastically procapitalist and majoritarian (e.g., Gilder).

In fact the conservative mind has undergone no such change. American conservatism is now what it has been for a generation—an uneasy marriage of a procapitalist libertarianism and a precapitalist traditionalism. These two philosophically incompatible tendencies have often fought bitterly, but a common image of the Enemy—"collectivism," "statism," or "rationalism"—has usually kept them together. One need only recall that in the 1950s conservatives were agog over not only the traditionalist work of Kirk but also the free-market apologetics of Hayek. Today one need look only at conservative discussions of sex and violence on TV to find a continuing condemnation of the culture that a profit-making orientation creates.

Nor have conservatives recently forsaken their time-honored elitism for a majoritarian stance. The latter has always been there—consider the democratic rhetoric with which conservatives defended Joe McCarthy as the authentic voice of the people against the oppressive Eastern liberal elite. Elitism, moreover, remains important in conservative values today—conservatives still complain about the sorry decline of authority and of established institutions, the decay of restraint, and the emergence of too much democracy in America.

In short, conservatism has not flip-flopped, as Mr. Lemann suggests. Rather, it is mired today in the same weary contradictions of a generation ago.

JEROME L. HIMMELSTEIN
Ann Arbor, Michigan

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Smoking Pipes

Jonathan Alter's unfriendly article on Richard Pipes ["Reagan's Doctor Strangelove," June] attempts to discredit his policy by attacking his character. Mr. Alter relies heavily on the purported witness of former graduate students (none of whom is identified); I studied in another department at Harvard, but I did take a course from Professor Pipes and found him one of the best teachers I had there. His ideas are out of favor with those who persist in claiming, against the evidence, that the Soviet Union is essentially a defensive power. It is no credit to Mr. Alter that he gave no satisfactory account of them.

JAMES W. MULLER
Lancaster, Pennsylvania

That was a lovely article about Pipes. It thoroughly defrocked him.

G. B. KISTIAKOWSKY
Cambridge, Massachusetts

Unions' Due

Jesus H. Christ! To report without knowing the story is one thing. But to know what the story is and then garble it is something else again. And to march under the banner of righteous concern for children is damn near unforgivable ["How Teachers Teach Selfishness," James Bovard, June].

Of course there's a serious "but it's not in the contract" problem in the schools. You would know that without leaving your chairs. But that story has next to nothing to do with basics or any need to go back to them. To report it as if it does is to lend support to people who want to administer grammar drill rather than teach writing, calculation drill rather than teach math, and language skills drill rather than teach, sustain, and encourage reading.

That kind of teaching is not the unions' fault. It was already there when they arrived. To be sure, at their worst they—and an assortment of moralists and snobs—help sustain it. And they help sustain the goldbricks, whiners, airheads, and other incompetents who also were already there. Like all unions, they protect their own, and the weakest of their members use "solidarity forever" as a club to beat down the innovative and energetic.

They get a lot of help, though, from administrators, school boards, and, by their silence at least, parents. Incompetence is not more rampant among teachers than among most other professions. Moreover, teachers *can* be fired for incompetence, and if it were done more often, establishing some public standard in the matter, it would rapidly become less costly, if indeed as necessary. Some teachers oppose accountability systems not from any desire to duck responsibility but from intimate knowledge of how very little the demagogues and many lesser politicians care about good teaching and how much they care about playing on parents' fears for their children's future. They also know how little some parents, principals, and preachers care for diversity and how eager they are to equate competence and "correct" political, moral, and pedagogical opinions.

Unions exist in education for the same reason they exist elsewhere: the folks doing the work were being grossly underpaid. Now the pay is better, though good teachers trying to do the job we want done are still not in any danger of being overpaid. To dismiss the pay issue with a "things have changed" wave is a little like wondering why there are still racial problems when blacks can, after all, now sit in the front of the bus.

DAVID GRADY
Palo Alto, California

See "Tilting at Windmills" for the editor's comment.

The S.S. Titanic

The article by Jonathan Alter ["Reagan's Budget 'Revolution,'" July/August] had some good points, but he showed himself a sophomore when he talked about social security. Whatever the faults of the system, surely the principle that allows even "wealthy" persons to qualify for benefits is not one of them. If *need* were a factor in determining benefits, every recipient would thereby become a welfare client, a charity case. That would be a rotten way to end it, repudiating a basic promise made to all of us who have been paying into the system for 45 years.

JOHN F. RUNNER
Fresno, California

P.S. I am not one of the "wealthy" ones.

The editor replies:

Social security is a welfare program now. The young are subsidizing the benefits received by their elders, who when *they* were paying social security taxes did not contribute enough to finance the current level of payments. Because social security is a welfare program, it should support only those who need it.

What's in a Name

I should like to correct, so far as it applies to me, the following item ["Tilting at Windmills," July/August]:

> "One of the problems with higher education today is that leading members of the faculty spend too much of their time on extracurricular activities. But it's not helping with the college yearbook that's luring them away from the classroom, where the stars seldom teach more

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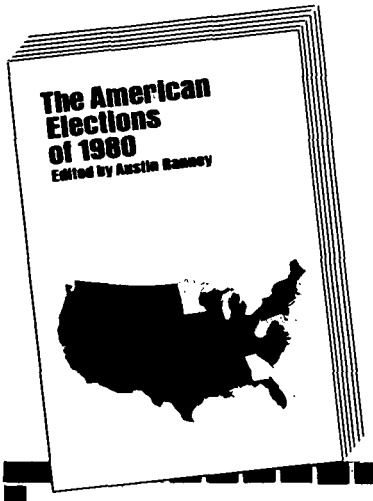

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than three hours a week. It's big bucks. Boris Bittker, Yale's top tax authority, commands $1,000 an hour (that's right, $1,000 an hour) from the banks and other firms that seek his services. Harvard's Lawrence Tribe brags that he is making a pro bono sacrifice when he gives the government a special $250-per-hour rate. But the one who tops them all is Harvard's antitrust authority, Phil Areeda. Some firms pay him retainers—not to work for them, but just so he doesn't work for the other side."

1. I have never described my work as pro bono in instances in which I have charged a fee.

2. I have never charged any governmental agency at a rate as high as $250 per hour.

3. Such fees as I have charged any client, private or public, I deem confidential; I have neither "brag[ged]" about, nor apologized for, such fees.

4. Any practice in which I engage is carefully coordinated with, and does not detract from, my primary role as a scholar and teacher at Harvard Law School.

5. My practice, far from "luring [me] away from the classroom," supplements and enriches my teaching; in over a decade as a law professor, I have rescheduled no more than four classes for reasons of legal representation of private or public clients.

6. Apart from the royalties I have received for my treatise, *American Constitutional Law,* I have received no payment for any of the dozens of articles and books I have written while teaching here.

7. My name is not "Lawrence Tribe" but "Laurence Tribe."

LAURENCE H. TRIBE
Cambridge, Massachusetts

I should like to correct the statement that "Boris Bittker, Yale's top tax authority, commands $1,000 an hour (that's right, $1,000 an hour) from the banks and other firms that seek his services."

1. Any banks or other firms seeking my services will find that I gave up my consulting practice about five years ago, when I commenced work on a multivolume treatise on federal taxation.

2. When I did engage in outside practice, I never "commanded"—or even asked for—$1,000 or anything close to that amount.

3. My practice never took up more than ten percent of my time, except for one year, when I was assigned by a federal court to represent (without compensation) a group of indigent defendants who were appealing their conviction under the Smith Act, following a trial generating a 25,000-page record.

4. I am not a "star" who rarely teaches more than three hours a week but a plodding workhorse—exploited mercilessly by generations of academic deans—with an above-average teaching load.

You *did* spell my name right, and for that I am grateful.

BORIS I. BITTKER
New Haven, Connecticut

The editor replies:

When confronted with these two letters, our source waffled. We apologize for the errors. Where are you, Phil Areeda?

Bull's-eye on Sour Grapes

I read with great interest your recent article on the federal anti-discrimination system ["A Selection of Fine Whines," Nell Minow, June]. I am a civil rights attorney who has represented several persons filing discrimination complaints against federal agencies. To my great embarrassment, I found myself in agreement with much of the article. OCR officials frequently have no background or training that qualifies them for their jobs, and therefore very little understanding of what is considered discrimination under the law. In addition, these officials, even when they are aware of what the law requires, may take the position that the law does not apply to them, or that they are somehow exempt from its provisions. I believe these two factors also help to explain the disproportionate number of complaints filed against OCR officials.

The real tragedy of the system is that it is a means to avenge every slight, imagined or real, whether or not discrimination is actually involved. Even competent OCR officials begin to look at all complaints with a suspicious eye. The victims of the system are those persons with legitimate (they do exist), often compelling, complaints.

IRA C. POLLACK
Arlington, Virginia

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SEPTEMBER 1981

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Tilting at Windmills

This spring, when my son was approaching both his eighteenth birthday and graduation from high school, he said he did not feel ready for college and wanted to do something else for a year or two. He asked my advice. Any father of an adolescent son will realize how unusual this request was and how seriously I took the responsibility involved. I thought a lot about the lives of the people I knew best—the people of my own generation who reached their eighteenth birthdays during World War II and whose years between high school and college had been interrupted by military service. It seemed to me that most of them had been better off because of the interruption, that the maturity and purposefulness they brought with them to college made the experience of higher education meaningful to them in a way it often was not for the students of other generations. So I said, why not join the army or the navy? My wife's reaction to this suggestion was negative, spiritedly negative. But, while a woman of strong views, she also believes in investigating all sides of a matter. She undertook an exhaustive survey among her friends, including the staff of the excellent school where she works. She reported that she could not find one person who agreed with me. Not one.

As she described their reaction—almost all are intelligent, middle-class liberals, most in their thirties—the triumph of the *From Here to Eternity* view of the military became clear. The service was full of intellectual clods, sadistic sergeants, and incompetent officers. How could I dream of exposing my son to such an experience? Hadn't I seen what happened to poor Prewitt? I had, but I had also been in the army and known hundreds of others who served in the air force, navy, or marines. The service can be as cruel as it was to Prewitt. It can be even worse—remember My Lai. But it can also be an important period of testing and growth. Many of my wife's friends admire and recommend the Outward Bound experience for young people. Military basic training is often quite similar, but my wife's friends don't know about the similarity because, like most middle-class people of the Vietnam generation, they have had no actual military experience. This means that they also don't know that my son, in addition to meeting some people he wouldn't like, would also find that untutored America is not an intellectual desert. There really are Hucks and Jims out there. They may not have read the right books (or, indeed, any books), but they can be funny and wise and good friends in the clutch. And, you know, there are still some people out there who think every young person owes his country a couple of years of service. Unfortunately, they do not seem to include many intelligent liberals, and that's too bad for the country and for the intelligent liberals. . . .

Journalism has traditionally been considered an underpaid

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profession, but the July-August edition of the *Columbia Journalism Review* suggests that things are a bit better these days. There is a full-page ad entitled "TWA redefines First Class—Introducing Royal Ambassador Service." The copy reads: "In First Class, good is not good enough. The very least you should expect is excellence." Excellence includes "caviar, Chateaubriand with sauce perigeaux, lobster Thermidor, vintage wines from California and France, liqueurs, cognacs, cordials, and more." The ad on *CJR*'s back cover offers a 1.25-carat diamond solitaire from DeBeers....

Here, in case you missed it, is the toast made during his recent trip to Manila by George Bush, vice president of the United States, to Ferdinand Marcos, who has been the absolute ruler of the Philippines for 16 years: "We stand with the Philippines, we stand with you, sir. We love your adherence to democratic principles and to the democratic processes." Well, if we're being kind to right-wing dictators, at least we're being tough on the communists, yes? No. Take a peek at the Federal Register, Volume 46, Number 103, May 29, 1981. You'll find this memorandum from Ronald Reagan to the secretary of state: "Pursuant to Section 2(b)(2) of the Export-Import Bank Act of 1945, as amended, I determine it is in the national interest for the Export-Import Bank of the United States to extend a credit in the amount of $120,742,500 to the Socialist Republic of Romania in connection with its purchase of two nuclear steam turbine generators and related services and spare parts." The interest to be paid by Romania: 7¾ percent or half what the United States Treasury is paying for the money it borrows....

From time to time I try to point out that the most zealous concern of American corporate executives is not for their country, their employees, or even for the dear old company. It is for themselves. The latest illustration of how these gentlemen take care of themselves is the case of Ralph E. Bailey, the chairman of Conoco, who in June got his board of directors to give him an agreement providing for a minimum annual compensation of $637,716 until 1989, even if he quits or loses the job. If he decides to quit, he can take the entire amount in one lump sum. This was designed to protect Bailey against any unhappy consequences of a takeover of Conoco. He is also comforted by the knowledge that he has an option to buy 79,000 shares of Conoco stock—for only $39 per share—which the various takeover offers pushed to a value of around $100 per share....

One of the worst fates for a writer is to be the author of an idea whose time has not come. As everyone talks about Tom Wolfe's new book, *From Bauhaus to Our House: Why Modern Architects Can't Get Out of the Box,* Peter Blake must be wondering where they all were when he made most of Wolfe's points several years ago in articles in *The Atlantic* and in a well-written book that attracted almost no attention....

Insiders tell you that the reason *The Washington Post* didn't rescue *The Washington Star* was the *Star*'s contract with the Teamsters. The *Post* has gone to a great deal of trouble over the years to avoid the Teamsters. For instance, the paper avoided a centralized distribution system—which would surely have become a prime Teamster target—by dividing up the work among small independent contractors....

Speaking of the Teamsters, their running-dog at the ICC, Chairman Reese H. Taylor, Jr., held his first press conference last month and sounded the administration's curious position on trucking regulation, a position that is, shall we say, somewhat different from its views on other forms of regulation. According to Caroline Mayer of *The Washington Star*'s business and finance section, Taylor, recently appointed by Reagan at the union's suggestion, "signaled stricter oversight of the trucking industry," promising that "the commission would scrutinize every trucking firm that applied for permission to cross state lines." Putting on his shining armor, Taylor indignantly pointed out that under recent deregulation "any two-bit hoodlum in the country could get a certificate from this commission." This sounds good until you realize the people Taylor wants to protect from the two-bit hoodlums are the millionaire hoodlums who profit today from the collusion between the Teamsters and the major trucking companies....

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If you were fooled by Reagan's Supreme Court nomination into thinking this is not a sexist administration, I invite you to make a test that any Washington veteran will realize is more revealing. Of the 32 White House staff members declared eligible to use the White House gym—which of course means the top 32 White House staff members—how many are women? The answer is two. . . .

The new federal budget increases the federal contribution to the District of Columbia's budget by $36,800,000. Ah, you Washingtonians think, at last those potholes will be filled, libraries will reopen, there will be enough ambulances, maybe even my real estate taxes can be cut a bit.
Not so. The total increase will go to salary boosts and pensions for employees and former employees of the District government. . . .

The daily drain on the average lobbyist's expense account is suggested by the Democratic Congressional Campaign Committee's Directory of Events for July 27-30 of this year. In just these four days there were fund-raising functions for ten different congressmen. The typical charge was $200 or $250. Barney Frank of Massachusetts was the most merciful, asking for a mere $50. But Jim Santini from Nevada asked for $1,000 to join him and his guest Wayne Newton for something called a Travel and Tourism Reception-Dinner. Checks were to be made payable to "Jim Santini's People, P. O. Box 1554, Washington, D.C." You *could* get by with just going to the reception for a mere $250, but then you might be scorned for being a cheapskate, which would be worse than not showing up at all. If you chose the latter option, and you still need Santini's help some day, you have the option of pointing the finger of scorn at the U.S. Postal Service, denying that you ever got the invitation, and immediately writing out that check for $1,000 payable to "Jim Santini's People."

It seems to me that the Snepp case—see Jonathan Alter's article on page 43—is one of the two worst First Amendment decisions in the history of the Supreme Court. The other real loser—*U.S.* v. *Dennis*—was handed down 30 years ago. It, too, was concerned with preventing political discussion, not protecting real secrets.
It held that people could be imprisoned merely for teaching or advocating communist theory, but its outrageous reasoning went largely unnoticed in a period when the left was expending its energies defending traitors like Hiss and the Rosenbergs (no, I don't think they should have fried, but they were guilty as hell). Similarly, Snepp's punishment for constructive criticism of the government was largely ignored by a left that was busy defending the *Progressive* magazine and others for publishing the secrets of the H-bomb. . . .

One of the nation's most enduring problems may be nearing solution. I refer to dogs who bite letter carriers. For years, every attempt to curb this deplorable canine tendency has failed. Spray canisters of "Halt," which contains cayenne pepper, are routinely issued to letter carriers, but the spraying seems only to add spice to the delectable morsel that our dedicated mail carriers already represent for the Spots and Fidos of America. Finally, however, a solution has been found, and you would never guess what it is: an umbrella. When that vicious bloodhound starts to lunge, all the letter carrier has to do is open up the bumbershoot in the dog's direction and stride confidently on his or her way. No more undignified cowering in the bushes, no more humiliated pleading with owners to stop this nipping around the ankles. You don't believe it? Well, neither would I, but I have in my hand a clipping of a story by Jeff Kaye in the *San Jose News*. Kaye says that a pilot program there involving 25 letter carriers equipped with umbrellas has earned "rave reviews" from the participants—the letter carriers, that is. . . .

The following is dedicated to all the parents who are having to fork over thousands of dollars for their children's college expenses. I want to propose again (for those who have forgotten or never heard my message) that we establish a national education bank that would make loans to students to finance their education. The students themselves would eventually have to repay the loans, but this would be done gradually though a modest addition to the graduate's annual tax bill. That way it would not be an excessive burden to students,

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but it will be collectible by the government without any difficulty. It will also cause students to think seriously about whether they are ready for college so they won't waste those important years on minimum effort in absurd courses. And most of all it will spare middle-aged America the terrible burden of supporting our system of higher education. More than any other single obligation I know, this duty to pay for their children's college years has caused men and women I respect and admire to compromise, sell out, and otherwise betray the bright promise of their own lives.

If a boss you worked for 20 years ago says, "Gee, we ought to get together again, I'll have a little party for you," most of us would expect a gathering of 10 or 12 of the old gang who are still around. Well, this isn't exactly what happened to Ronald Reagan's personal secretary, Helene Von Damm, when her old boss, Joe D. Miller, deputy executive vice-president of the American Medical Association, gave a party for her. Instead of the 10 or 12 mutual friends from the old days, there were 150 friends from Von Damm's present—people like Michael Deaver, James Baker, and three cabinet members, the kind of people it would be very handy for an executive of the AMA, the nation's biggest lobby, to know. The black-tie party took place in the elegant Folger Shakespeare Library. At the end Von Damm said, "What was going through my mind all night was a song, 'If they could see me now.'"

What a triumphant moment for Joe Miller and the AMA. He had provided Von Damm with the exact experience that I have always felt was most important for a lobbyist to give his lobbyee—a scene that confirms that the lobbyee has arrived, has made it, has at last shown "them" what he or she can do. This creates the kind of warm gratitude lobbyists like lobbyees to feel. By the way, the *Post*'s account of the party did not mention that Von Damm is a slumlord. Perhaps it would have been churlish—by all accounts she is a very nice woman personally—but I would have been tempted to ask if the "they" whom she wished could see her now included the poor tenants of the substandard dwellings she owns in Baltimore.

I think Reagan's stand against the air controllers may well turn out to be one of the most important acts of his administration. Self-pity is rampant in the land and group self-pity is surely its most socially harmful sign. Unions, corporations, and

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Herbert Scoville, President of the Arms Control Association, was for many years an insider in arms development and a former senior CIA official, which makes him uniquely qualified to describe the MX project and its consequences.

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special interest groups generally have become so accustomed to believing their own arguments that they don't see how unfair and unreasonable their claims seem to the rest of us. Thus they become angry when we don't respond to their demands and the nation is threatened with bitter fragmentation. Reagan, by taking on the controllers, may have begun to awaken other groups to the danger of their own self-righteousness. I hope so. Anyway, it's up to each of us to do his best not to give in to self-pity. For a marvelous example of someone who is tempted but still has the integrity to fight against group self-pity, read David Grady's contribution to our current "Letters" section. It is spirited in its defense of teachers, but he still fully acknowledges what's wrong with them and their unions. . . .

The air force wants to spend $20 billion to buy just 100 B-1 bombers, claiming that without them our strategic nuclear deterrent will collapse. The B-1 is extremely complex, especially considering that it was designed for high-altitude supersonic flight but has since been crammed with devices for very low altitude subsonic flight, the reverse of what it was intended to do. The air force now says it wants to put some of those B-1s on duty as conventional bombers, even though they carry less and can't fly as far as the existing B-52.

Let's say half the 100 B-1s go on conventional duty. That leaves 50 for the vital strategic deterrent role. How many will actually be able to fly? The "full mission capable" rate of the FB-111 nuclear bomber, the existing plane most similar to the B-1, is 35 percent. The B-1, air force sources say, will be lucky to achieve that level, since it is vastly more complex than the FB-111.

If 35 percent of the 50 bombers are actually able to fly at any given time (remember, nuclear bombers must be ready to go with no warning), for $20 billion we will be buying the ability to put exactly 16 airplanes in the air at a time of crisis. . . .

If the Reagan administration seems hypocritical in being against regulation, except where it affects the Teamsters, have you ever considered the monetarists' position? Most of them are against practically all forms of regulation—except for one thing, the money supply. This, they tell us, must be rigidly regulated. The irony is that no form of regulation has had more demonstrably bad consequences, devastating the housing and auto industries and small business in general—everyone whose business requires the use of borrowed money.

Now that OPEC is behaving itself, inflation is coming under control. But you can be sure the monetarists will proclaim that their policies deserve all the credit. And the next time inflation threatens, whatever the real cause and whatever the right remedy, we will be treated to another round of crippling high interest rates. . . .

I love the feeling of escape one gets on a boat, so this summer I took a trip from New York around Nova Scotia and up the St. Lawrence River. The ship was a good one—and not cheap. My wife and I had the minimum-rate inside cabin, but most of our shipmates had to be reasonably well-heeled to afford the other accommodations. They were definitely upper middle class. They were from all over the country. They were mostly very pleasant. But they were mostly bigots. And this reminded me of something many of us in Washington tend to forget. It is that much of the American upper middle class is still bigoted and that blacks and Jews still have good reason for concern. Fear of bigotry can seem paranoid in Washington or in other large cities where it is possible to have an entire circle of middle-class friends who are all open-minded on matters of race and religion. In such settings one can begin to think that the problem is the paranoia of the blacks or Jews and not the prejudice of the whites. My cruise reminded me that we still have a hell of a problem with not just the prejudice of the poor whites, but of their social superiors as well. The conviction I encountered most often was that everyone on welfare—meaning blacks, it became very clear—was a welfare cheat. Maybe a third of them *are* welfare cheats. This is the truth my liberal friends in Washington won't face. But two thirds of them are people who need help, and I very much fear that my friends on the cruise and the Reagan administration they have elected will continue to begrudge that help.

—*Charles Peters*

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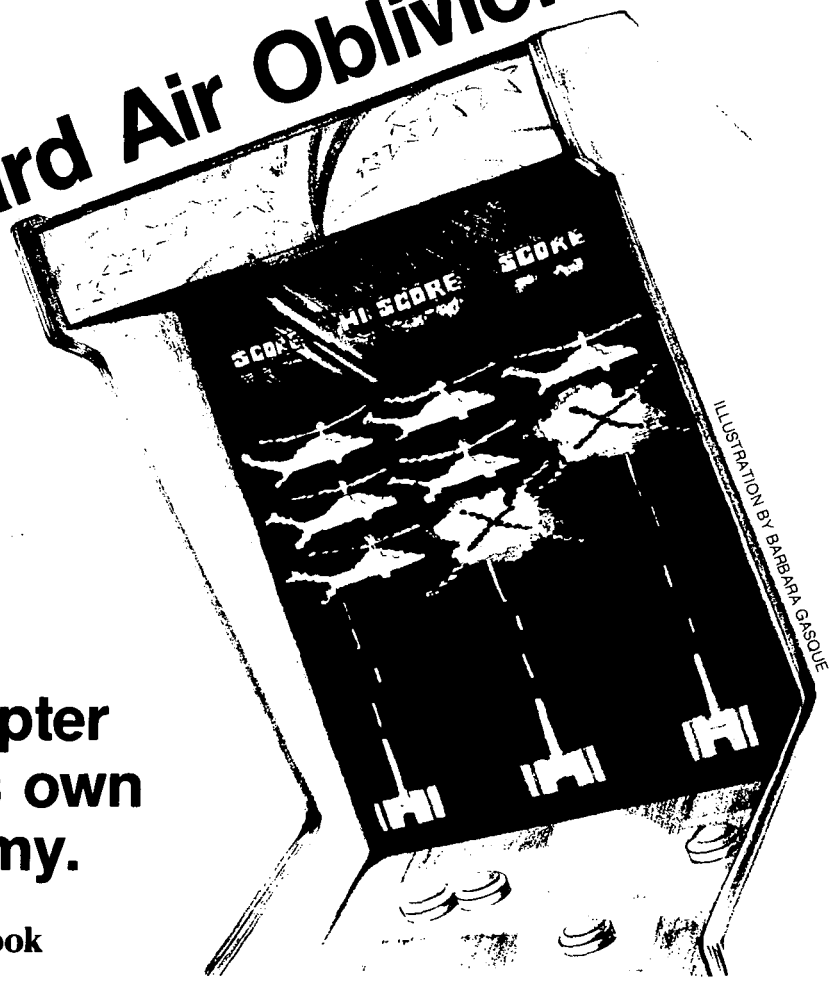

ILLUSTRATION BY BARBARA GASQUE

The helicopter Army is its own worst enemy.

by Gregg Easterbrook

Today the United States Army has a bigger air force than the Air Force—second largest in the world, in fact, trailing only the Soviet air force. The Army's air force is composed almost entirely of helicopters, 9,000 of them. (The Air Force has 7,000 aircraft, very few of which are helicopters.) America has more helicopters, and spends more money on helicopters, and is betting more of its security on helicopters, than any other nation.

Yet most of today's helicopter Army would not exist at all were it not for the interservice rivalries and bureaucratic jealousies that infest the Pentagon. Army helicopter development began in earnest after the Air Force was split away from the Army, and new regulations barred the Army from having any airplanes. But the Army needed airplanes. It needed them to transport troops and equipment, and for "close support" attacks against enemy tanks during the heat of battle. The new Air Force was supposed to perform these tasks. It didn't. Desperate, the Army turned to helicopters—something it *was* allowed to have—to move its men and protect them from the air. Thousands upon thousands of helicopter transports and gunships (like the well-known Cobra) were built in lieu of what the Army really wanted and needed, airplanes.

And these thousands of helicopters are, militarily and economically, a disaster area. Helicopters are fine for certain specialized military purposes—medical evacuation, rescue, commando raids, antisubmarine patrols, and terrorizing defenseless peasants (Russian helicopters in Afghanistan have been employed mainly for terror attacks on the helpless). But in the two missions for which most Army helicopters are built, front line transport and "close support,"

Gregg Easterbrook is an editor of The Washington Monthly.

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the machines are a dangerous fiasco. About as useful, in real-world combat conditions, as the giant Frisbees Army planners toyed with a few years back.

Vietnam (sometimes called the "helicopter war") demonstrated how shockingly vulnerable helicopters were to even light opposition. At the height of Vietnam, the Army was losing one-third of its helicopter force *per year,* informed Pentagon officials say. These losses were not to flak batteries or sophisticated missiles, but "small arms fire," meaning infantry rifles.

Now Vietnam is past, and Army helicopter deployment is oriented mainly towards the prospect of war in Europe—where helicopters would face, not small pockets of riflemen, but massed machine gun, cannon, and rocket fire. "Every last one of them will be blown away in the first 30 minutes" of an intense European battle, says Paul Hoven, a Vietnam helicopter pilot with the Ninth Infantry. A senior Pentagon analyst gives them slightly more time: "Armed helicopters will disappear from the battlefields of Europe by the end of the first week."

Even so, helicopters remain a top Army priority, and they are luxury items when it comes to price. Helicopters, despite their limited range and very small payloads, often cost a great deal more than airplanes. Right now the Army is trying to sell Congress on a multibillion-dollar program for the AH-64A, an antitank helicopter. The new helicopters will cost at least $15 million each—more than twice the cost of an A-10, the equivalent *jet airplane.*

Why is so much money being spent on a weapon of such limited practical value? One reason is that the helicopter has developed powerful institutional momentum. If the Edsel had been built to military specifications, it probably would be with us today; generals would be photographed with it, contractors would be promising third-generation, rocket-assisted, amphibious Edsels, and congressmen from the contractors' districts would be warning of an Edsel gap. In the case of the helicopter, four of the nation's largest defense contractors (Bell Textron, Boeing, Hughes, and United Technologies) have devoted significant resources to helicopter construction, and agitate constantly for new contracts.

But much more important is the continuing Army-Air Force rivalry. The Army's petty generals like helicopters simply because they are green and fly, and can be used to torment the Air Force during budget battles. Its sincere generals, knowing the Air Force's dismal record of support for Army troops, feel they would rather take their chances with their own pilots and machines, even if those machines are inferior. Pentagon regulations still prevent the Army from having airplanes which would, in most cases, perform Army missions more cheaply, more effectively, and more reliably than helicopters. Right now the Army has no choice—it *must* build helicopters even though, deep down, it may know better. The situation has to be changed before American soldiers are forced to ride their fragile helicopter corps, Air Oblivion, into another battle.

The Pentagon Capers

As World War II drew to a close, it was clear that airplanes had changed the nature of warfare. It was equally clear that atomic weapons and long-range missiles would change it again. To take these developments into account, the U.S. military establishment was restructured during the late 1940s. The Air Force was split from the Army and made a separate service branch.

With the number of major services increasing from two to three (the Marines are generally grouped with the Navy, since they operate off its ships), and two entirely new types of weapons, atomic bombs and missiles, being thrown up for grabs, the Pentagon's traditional interservice rivalaries expanded beyond control, from a closely officiated prizefight to a barroom free-for-all. The services—particularly the Air Force and Navy—swung at each other madly. They brawled in the Pentagon; they slandered each other on Capitol Hill; they raced to leak self-serving technical information to the press. When the Korean War began, many generals and admirals were greatly annoyed, since it distracted them from fighting the *real* enemy.

In the end, the 1950s proved to be an almost unbroken string of bureaucratic victories for the Air Force. After starting life with the old Army Air Corps "tactical" missions and the new atomic bombing mission, it also walked away with most of the big missiles. Nearly every exciting (and expensive) new technical challenge—giant jet bombers, ICBMs, supersonic fighters—went to the Air Force, which replaced the Navy ("join the Navy and see the world") as the country's glamour service. The Navy landed a few expensive plums, like nuclear-powered supercarriers and missile-firing submarines, but not as many as it wanted. The Army, that grimy bunch of grunts and doughboys slopping through the mud, got nothing.

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In fact the Army lost funds and authority on several fronts. It began to shrink. The generals were hopping mad, but what could they do about it? Congress had become a swaying pit of high-tech groupies, shrieking and fainting whenever something bigger than life came onstage. Nuclear bombs! Nuclear ships! Nuclear planes! Rockets to Russia! Bombers from outer space! (The Air Force was actually working on that.) Even though the Army's job—taking and holding land—had traditionally been what wars were all about, nobody cared for anything as dull as *land* any more. Future wars would be fought high in the stratosphere (by the B-52 "Stratofortress"), far below the seas, and deep within the confines of the atom itself. Land—somehow land just wouldn't matter any more. Besides, Congress seemed to say to the Army, what have you got that can knock our eyes out? Do you have a nuclear tank? Do you have a "Stratotank"?

Many of the military's new bureaucratic turf lines were drawn at a series of high-level meetings that began at Key West in 1948. The Air Force, riding a crest of prestige, really stuck it to the Army. It seized authority over all airplanes except the Piper Cub variety—the flyboys would control any "fixed-wing aircraft" heavier than 5,000 pounds.

The Key West agreements, however, placed few restrictions on control of "rotary-winged aircraft," meaning helicopters. Helicopters, then in the early stages of development, did not interest the Air Force. The Air Force dreamed of great, gleaming wonders that could slip the surly bonds of earth and soar vast distances at fantastic speeds. Though impressive to watch, helicopters were pedestrian in function. They couldn't fly much faster than 150 m.p.h. (and still can't), couldn't travel much farther than a few hundred miles, and could carry hardly anything.

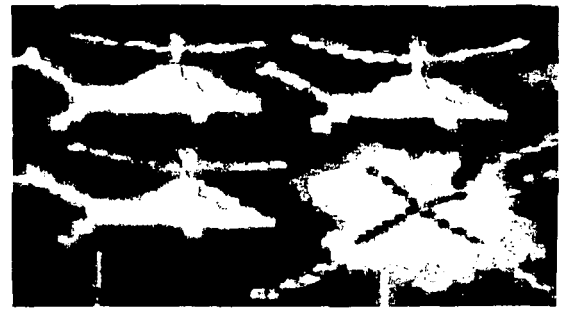
For all its other faults, the Air Force understood something essential about the helicopter: it is the most inefficient, improbable way to fly ever devised. "In engineering school they teach us that aerodynamically the helicopter is impossible, said a former helicopter designer. "They're not far wrong."

The key difference between helicopters and airplanes is that the helicopter has no lift. Lift is the unequal air pressure created by wings. With more pressure below the wings than above, there is a force pushing airplanes up. Wings make the airplane rise; engines only have to make it go forward.

For simplicity's sake, it is said that the helicopter's rotor is a "spinning wing." In truth it isn't. The rotor blades are warped, giving them some lift properties, but the effect is slight compared with the total upward force required. Helicopters rise by the action-reaction of driving air down towards the ground, the same way propellers make a boat move forward by driving water towards the rear. Lacking wings, helicopters must compensate with pure power—engines both make the helicopter rise and go forward.

This form of propulsion is highly inefficient because the motor alone must support the helicopter's entire weight at every point during flight. (Airplanes, assisted by wings, can generally fly long periods with their engines at low power or even off.) The mechanics of delivering power to the rotors is also inefficient. The power of a jet airplane's turbine goes straight out the engine's back door, never changing direction. But a helicopter's turbines, which sit to the side of the rotor shaft, spin up and down (and at a perpendicular angle) relative to the "flat" aspect in which the shaft spins. So power must be channeled through transmissions and differentials. Any time power goes "around the corner," much of it is lost to friction and other inefficiencies.

The helicopter's inherent aerodynamic and mechanical drawbacks result in its consuming about three times as much fuel, per weight



carried and distance traveled, as an airplane. For most purposes, aircraft designers say, times-three is a valid rule: anything you can do with an airplane will cost you three times as much to do with a helicopter.

Other complex devices—for instance, gears that enable the blades to change pitch as they describe their circle—make the helicopter, from a machanical standpoint, more involved than high-performance jet fighters. And it has special problems in military applications. Because weight is at a premium in helicopters, it is impractical to make enough parts out of heavy-duty materials. Many critical components are

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Verne Orr, Reagan's Air Force secretary, speaks of cargo planes as if they were a free cocaine program for juvenile delinquents.

highly prone to stress, wear—and bullets. Most airplanes can take several hits from light weapons and continue flying, but helicopters cannot. They are machines that do not really belong in the air, suspended as if by divine grace, anxious for any excuse—a few bullets will do—to go plummeting back whence they came.

Crumbs for the Grunts

So, the Air Force figured, why not give them to the grunts?

At the time of the Key West agreements, the Army wasn't much more interested in helicopters than the Air Force. What good is something you can shoot down with a rifle? So Army brass paid little attention (and supplied scant funds) to General Carl Hutton and his initial experiments with fighting helicopters at Fort Rucker, Alabama. (Hutton would later become one of two men known as the "father of Army aviation.")

At Key West the Air Force promised to fulfill the Army's aerial needs, transport and close-support attacks on tanks. The Army had little choice but to take the Air Force's word. But in fact, notes one retired Air Force colonel, "We accepted those missions solely to keep them away from the Army. We had no intention of sinking our budget into things we didn't like."

As Volney Warner, recently retired Army four-star general, explains, "Budget lines are drawn according to service interests, not joint interests." Transport planes are lumbering, unarmed dumbos that do nothing to advance the Air Force's primary mission of striking deep in enemy territory. To fund them the Air Force must take money away from its bombers and fighters, which is like asking the Business Roundtable to underwrite the FTC. So transport planes are always at the bottom of Air Force budget requests. (Similarly, troop ships usually bring up the rear of the Navy's budget.)

The Army should have seen this more clearly. The sort of transport plane it most badly needed was one that could land in proximity of the battle. That meant a small (harder to hit) plane able to operate off very short fields of grass, dirt, or whatever was handy. Operation from short "unimproved" runways was the requirement that infuriated the Air Force most. It dictated that transport planes be propeller-powered, since prop engines are more durable than jets and generally able to lift aircraft off the ground in the shortest distance. Props! The Air Force build a prop plane? Were Army tanks pulled by mules? Did Navy ships have sails? It was out of the question!

So through the 1950s and early 1960s, little money was invested in transports. What few cargo planes the Air Force did build, the C-130 Hercules and the jet-powered C-141 Starlifter, needed concrete runways. Technically they were able to land on grass, but only in the sense that your car is able to drive on logs—do it twice and you need a new car.) When the Korean War ended, the Air Force mothballed most of it simple C-123 transports, big brothers to the DC-3 and workhorse of Korea. It even began demanding that the Army surrender its small fleet of Caribou light transports, two-engine prop planes capable of operating on very short, bumpy fields and kept only by special exemption to the Key West rules. In 1966, after a decade of pressure, the Army finally gave its Caribous to the Air Force, which promptly put many of them in reserve.

The only transport plane ever to excite Air Force interest was the C5A Galaxy. It met proper standards of grandeur by being complex, expensive, unreliable, and, best of all, the largest airplane in the world. Of course it could not stand the stress of dirt-field landings either (its wings cracked in routine clear-air flight, and a $1.6 billion wing-replacement project is now in store for the C5A fleet). Size alone barred the C5A from front line operations; it was so big no enemy gunner could possibly miss it. The Air Force message to the Army was clear—we could not care less about your transportation problems.

The Air Force found its second Army "joint mission," close support, even distasteful. Again the type of plane required played an influential role. Close-support airplanes are small (as before, harder to shoot down) with short, stubby wings for maximum maneuverability at low altitudes. Close-support planes spend nearly all their time at low altitudes, since their job is to find and attack small things moving around on the ground. They fly slowly, seldom at more than 380 m.p.h., so the pilot has time to figure out

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what's going on down below. It was the slowness of the job that most offended Air Force brass. Why, a close-support plane couldn't fly supersonic *at all.*

Also involved was a running Army-Air Force doctrinal dispute over the nature of warfare. The Air Force believes that "interdiction"—long-range bombing of factories, supply centers, and staging bases ("second echelon targets")—wins modern wars.

The Army, for its part, contends that "first echelon targets"—tanks and troops actively engaged in battle—are the real priority. Beat them, Army theorists maintain, and it doesn't matter what's going on at the ball-bearing warehouse. The Air Force was hardly interested in building close-support aircraft to help prove its own central doctrine wrong. So from the service's creation in 1947 until the early 1970s, it did not field a single close-support aircraft. And when it finally did, it was only because of interservice rivalries with an Army helicopter.

The Sky Cavalry is Coming

Knowing that in combat Army units would be severely handicapped—and many soldiers would needlessly die—because of Air Force indifference, Army generals began casting about for something, anything, to fulfill their needs. In the late 1950s they found a little Italian close-support airplane called the G-91, which carried small bombs and was inferior, in most respects, to American fighters of World War II. They suggested a few G-91s be purchased and assigned to NATO, the most backhanded way imaginable of asking for airplanes. Air Force reaction was thunderous. "Never in my life had I seen so many generals in such a state of juvenile frenzy," said a former high Air Force civilian official. "They kept saying, 'We've got to stop that plane, tell [Congress] any lie you want but stop that plane.'" Again the message was unmistakable: the Air Force (Congress's darling service at the time) would not make the slightest concession about airplanes. The Army would have to reach for the sky some other way. And the only other way was helicopters.

By the late 1950s, helicopters had been perfected to the point that they were reasonably reliable for short, simple flights. General Hutton had successfully fired machine guns and small rockets from them. He dreamed of helicopters replacing both tanks and trucks as whole battalionns went "air mobile." He gave his vision the wonderful name "Sky Cavalry." Effusion over helicopters was, at the time, becoming popular. City councils were rushing to mark out plans for "heliports." Futuristic drawings depicted vertical cities layered by happy commuters chopping along in their personal "helicars."

The Army decided to go into the helicopter business in a big way. General Hamilton Howze, boisterously pro-helicopter, was made head of Army Aviation (he also is called the "father of Army Aviation"—in modern bureaucracies it seems even fatherhood is a joint assignment). More budget money for the Army was on the horizon, since General Maxwell Taylor was winning converts to his "flexible response" doctrine of adding land-fighting power to the president's options. Also gaining ground were the advocates of "counterinsurgency"—preparing the Army to fight guerrillas and revolutionaries on their own terms. The helicopter, able to take off straight up, land straight down, hover, fly very slowly, and operate anywhere, seemed ideal for a new, "flexible," counterinsurgent Army. The things it could do that an airplane couldn't would, planners believed, prove devastating in combat. By spring 1962 a Sky Cav unit had become a standard component of Army divisions. By fall 1962, the firt helicopter division was on its way to Vietnam. Everything was coalescing in the helicopter's favor. Until it was actually used in combat.

Small-Arms Fodder

> "I flew in a helicopter every day for six months, and every day I was terrified."
> —A Marine captain in Vietnam

> "Those things were hell on wheels in our training exercises, but as soon as they flew against live fire, they got chewed to shreds."
> —A foreign service officer stationed in Saigon

> "I'm the only guy I know who only got shot down once. My roommate went down six times, and another guy in our wing lost nine birds. It was a daily event. There's no possible way to keep a helicopter flying in combat."
> —An Army helicopter pilot in Vietnam

It is said that Army generals came to regard helicopters as flying tanks. "The helicopter's made of metal, so it must be indestructible, that's what they think," said Hoven, the Vietnam pilot. In fact the reverse

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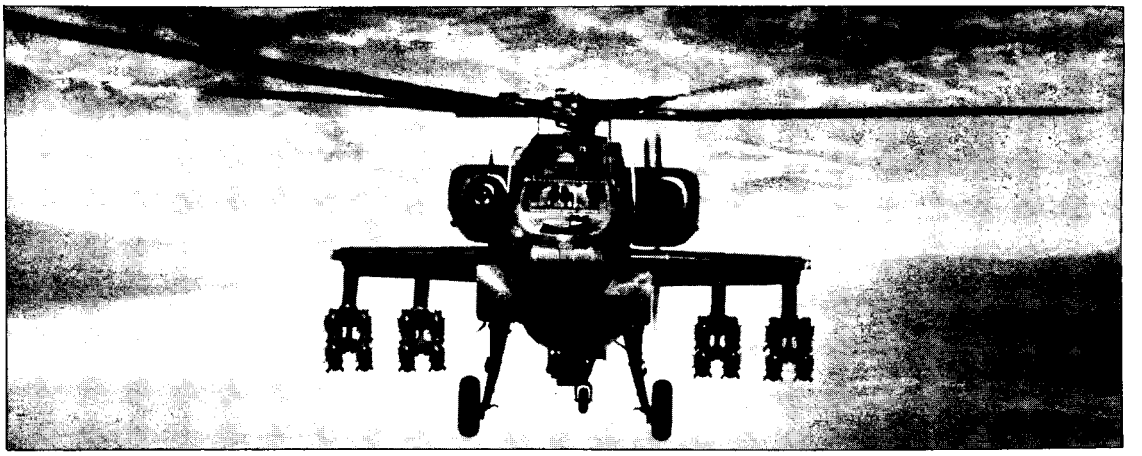
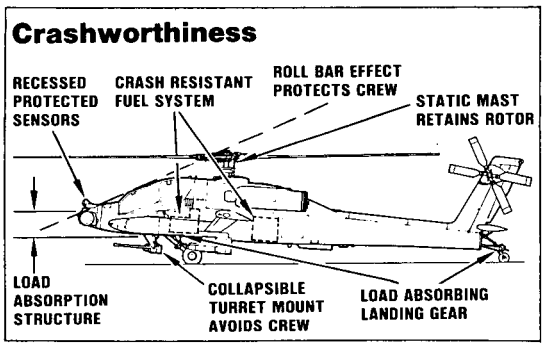


Prototype of the Hughes AH-64A. It will cost $15 million, the price of a high-rise office building, and will be, many believe, about as effective against tanks. Below, AH-64A features as touted in a Hughes brochure.



proved true. Flying slowly and low over enemy positions, the helicopter exposed its numerous delicate components to easy destruction. Rifle bullets bounce off most warplanes, but they ripped up the (necessarily) lightly built helicopters. Ground gunners needed a bull's-eye to knock down a fighter, but it seemed that anywhere one hit a helicopter was sufficient to snap its delicate string to the sky. Hoven flew the most common Vietnam helicopter, the UH1 "Huey" transport. It could be shot down, he said, by as little as a single bullet to the exposed anti-torque driveshaft, loss of which caused the helicopter to lose directional control and "corkscrew" into the ground.

Army planners thought their Sky Cavalry could surprise the enemy by dropping troops right into the middle of a fight—"vertical envelopment." That's how most helicopters were employed in Vietnam, and the losses were staggering. "The drop might actually take only 30 seconds," Hoven said, "but during that time you were hovering right in front of the enemy, and he was shooting into your engines and right through the door." (Losses during landings were the reason helicopter pilots could be shot down nine times and live to be shot down again. When their helicopters crashed, it was often from just five or ten feet.)

Officially the Army lost "only" 4,900 helicopters in Vietnam, an "only" that equals more than half the entire American helicopter inventory of 1966, one of the war's peak years. Pilots who were in Vietnam and Pentagon officials from the period say losses were systematically distorted—as, in this and so many other areas like "body counts," Vietnam seemed to have stablished lying and institutional self-deception as proud Pentagon traditions. The key to manipulating helicopter losses was the aircraft's tail, where its serial number was painted. If the tail could be recovered from a wrecked helicopter—and often it could—it would be shipped back to the States and a new helicopter built around it, knowledgeable Pentagon sources say. They contend that if losses had been reported accurately, tables would show that fully one-third of all helicopters stationed in Vietnam were shot down or crashed each year. That suggests a total loss more along the order of 10,000 helicopters.

"One week our unit, which had 25 birds, lost 17 of them," said Hoven. "Later I saw the *Newsweek* for that same week, and it had the official government 'body count' for helicopters. It said a total of six lost for all units. Mine was one of about 100 helicopter units."

Losses could have been reduced by plating more armor on the helicopters. Hoven's Huey, for instance, had only an armored seat and breast plate for the pilot; Cobra gunships had little more in the way of protection. But the problem was obvious. Every extra pound of armor meant a pound less of cargo or weaponry,

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At the height of Vietnam, the Army was losing one-third of its helicopter force *per year*—not to sophisticated missiles, but to infantry rifles.

cutting even further into the helicopter's "capability." (The Huey, then and now the Army's main transport helicopter, could carry at most only 12 soldiers.)

Wanting to prove helicopters could be used for "strategic" movements of large numbers of troops, the generals often ordered flights of 40 or more Hueys protected by perhaps a dozen gunships. To keep losses within reason, a policy of "clearing LZs" (landing zones) was instituted. To drive the enemy back from the LZ before helicopters arrived, the area would be barraged with "suppressive" artillery fire and bombing attacks. So much, then, for the element of surprise. Often this practice proved entirely self-defeating. By the time large helicopter flights descended on the enemy who was supposed to be surprised, he had simply fled, having been alerted by the bombardment.

Lost in the Clouds

Not only did the Viet Cong (and later North Vietnamese regulars) shoot down helicopters at a prodigious rate, they did it with small-arms fire—automatic rifles and light machine guns they carried on their backs. "Everything we lost was to AK-47s [an automatic rifle] and .30-caliber machine guns," said Hoven. "Occasionally we lost one to an RPG [a small Soviet antitank weapon similar to a bazooka], but you didn't need an RPG to shoot us down. An AK-47 was plenty."

Officially the Pentagon insists that many helicopter losses were to heat-seeking missiles, implying, as the modern military establishment likes to do, that only a high-technology weapon can defeat another high-technology weapon. But in fact the North Vietnamese did not introduce heat-seeking missiles to the southern ground war until very near its end, around 1972. Which was a lucky thing for American pilots.

Missiles were used against American jets and bombers over North Vietnam, but helicopters did not operate in the north except during commando raids. Only on rare occasions did they fly against fixed antiaircraft fortifications. When they did, the result was what pilots call a "turkey shoot"—catastrophe in large numbers. In February 1971, the Army launched Lam Son 719, a six-week massed helicopter "incursion" into Laos. Sky cav units encountered ground fire from dual .50-caliber machine guns and the ZU-23-2, a 23mm light cannon that is the Soviets' main portable antiaircraft weapon. Neither of these weapons has "advanced" features like radar or laser sights; they are just guns, aimed by gunners. They destroyed, officially, 107 helicopters and "damaged" 608 more. Pentagon sources say that little more remained of many of the "damaged" helicopters than a salvageable tail with serial number. For days at a time during Lam Son, relief helicopters were unable to approach stranded squadrons because they could not buck the ground fire.

Helicopters, when surprised by enemy fire, have considerable trouble maneuvering away. Because of their light airframes and fragile rotor assemblies, helicopters cannot make the sharp, drastic banking maneuvers airplanes use to evade fire. The most helicopters can "pull" is about 2.5 times the force of gravity; fighter planes can generally pull around 8 times gravity. Army planners thought they could compensate with the helicopter's unique ability to make a 180-degree turn, thus running directly away from fire. But this generally didn't work. What exposes an aircraft (or any target) to destruction is moving on a *predictable* course, so that enemy guns can be set slightly ahead of present position and the target will pass into their stream of fire. About-face maneuvers, while dramatic, were predictable. The helicopter was still flying the same straight line, just in the opposite direction. The back end got shot down instead of the front.

To protect themselves from ground gunners, Vietnam pilots adopted flying procedures Army planners were sure they wouldn't need. Sometimes they flew at around 1,500 feet—out of the effective range of small-arms fire, but also too high to command what was going on on the ground. Other times they flew treetop level at 115 m.p.h., coming over the enemy so abruptly ground gunners had no time to get a shot off. Flying treetop there was no chance whatsoever to scan the ground—the pilot's attention was utterly devoted to flying. One of the many complications of helicopter flight is that both the pilot's feet and hands are busy at every instant. Unlike an airplane, a helicopter has no autopilot to speak of, and certainly none at treetop level. Add to this that helicopters are deafeningly loud

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and vibrate viciously, and it should be clear that operating them is, even under the best of conditions, a taxing job. (It is not well understood that what Marine helicopter pilots attempted during the Iran rescue raid—a 500-mile ground-level flight in the dark—was an immensely demanding physical and mental feat.)

The two compromises—flying either too high or too low and fast to see—effectively negated many of the helicopter's advertised features. Flying this way, helicopters were just doing a poor imitation of airplanes. But of course they could take off and land anywhere they wanted, couldn't they? Well, they certainly couldn't land in fire zones. The takeoff advantages did not always prove out, either. When fully loaded Cobra gunships were so unstable they could not rise straight up. They had to make running takeoffs, like airplanes. That meant they could operate only from central airbases; any old place would not do.

Even once at the target the vaunted Cobras were effective only against very lightly armed troops who could not drive them off. This Pentagon officials simply refused to believe. Sadly, Pentagon demands for Cobra "productivity" inspired some Army commanders to send their gunships against defenseless villages and even water buffalo to keep kill statistics up, as former Vietnam adviser and now

prominent military affairs commentator Jeffrey Record explained in an April 1971 *Washington Monthly* article. "I witnessed the machine-gunning of an entire herd of water buffalo," Record wrote, "along with six or seven buffalo boys who were tending the herd. No command had been given. The Cobras simply broke formation and began their deadly dives. Within seconds the still waters of the rice paddy in which the buffalo and their little friends had been resting were transformed into a bloody ooze littered with bits of mangled flesh. The dead boys and the water buffalo were added to the official body count of Viet Cong."

Yet throughout the Vietnam War, the Army continued to pour more and more resources into helicopters. Some Washington-based officers, deceived by reports that the water buffalo couldn't hold out much longer, really believed the helicopter was an effective weapon. Others, mesmerized by their interservice duel with the Air Force, just would not entertain the notion that their solution to Army aerial problems was fundamentally flawed. Meanwhile there was the budget to consider. Throughout the Army hierarchy, an informed former officer said, there was a feeling that Vietnam had at last won the budget spotlight back from the Air Force and Navy. Obviously the Army budget had to be expanded in order to prosecute the war. If they could drive that budget up high enough, the generals felt, it would remain high after the war was over, and the Army would never again be reduced to a subservient position in Pentagon politics. By far the most expensive item being used in Vietnam was the helicopter. Thus, perversely, helicopters became desirable for the very reason that they were so costly and crashing so often.

"Something as screwed up as the helicopter could only have come from something as screwed up as Vietnam," said a former Army helicopter pilot. But unfortunately, Southeast Asia was not the last stop for Air Oblivion.

Tanks for the Memories

The Army seldom had to fight tanks in Vietnam. But it knew that in almost any other war—especially in Europe against the Warsaw Pact, the most troubling possible war—this little luxury of doing business would be canceled. None of the Vietnam-era helicopters could challenge armored vehicles. The Cobra's machine guns, light cannon, and small unguided rockets could not pierce a tank's metal plating. And by the mid-1960s, the Air Force still had shown no interest in building a close-support airplane to destroy tanks; its head remained in the clouds. So the Army began to plan the fiercest, fastest, and most expensive helicopter of all time, the Cheyenne.

Cheyenne was to descend on tanks at 250 m.p.h.—unheard-of speed for a helicopter—blasting away with bombs and guided missiles. It would take on any tank the Soviets could build. It would also cost $8 million or more per aircraft—at the time, a good deal more than top-of-the-line jet fighters.

And *that* finally got the Air Force's attention. When Air Force Chief of Staff J. P.

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McConnell realized the Army was on the verge of getting funds for a multibillion-dollar aircraft program, it didn't take him long to figure out where the money was likely to come from—his budget. He also assumed that once the Army had an antitank helicopter (at least in name, regardless of whether it worked) it would be logical for the secretary of defense to take the close-support "mission" away from the Air Force. McConnell was caught in a classic quandary of Pentagon politics. To preserve his budget and prestige, he would have to order his officers to do something they despised—build a small, slow, simple plane. McConnell's subordinates viewed this as a total loss of honor. If they had been Japanese samurai, they would have committed ritual suicide on the spot. But instead they were modern bureaucrats. They committed ritual foot-dragging. Eventually McConnell had to end-run the Air Force R&D office, getting his close-support plane designed on an ad-hoc basis by contractors' engineers and a small band of rebel officers and analysts working nights. It was the only hope to "game out" the Cheyenne.

Soon Air Force test pilots were flying the Fairchild A-10, a dull, stub-winged, flat-nosed subsonic thing that many aircraft industry observers believe is one of the best planes ever built. It had what was supposed to be one of the helicopter's main combat virtues—being able to fly slowly enough to see what was going on down on the ground—but didn't have the helicopter's faults. The A-10 could turn violently to evade fire, accelerate to escape trouble, and take hits from antiaircraft guns without cracking like a pinata. Also, unlike a helicopter, it could carry a high-powered cannon, which is the best type of antitank weapon. And it cost about $3 million, less than half the price of a Cheyenne.

So it finally had been done—the Air Force had been goaded into building a close-support plane. And the result was, as expected, an aircraft both better and cheaper than equivalent helicopters. Once again the Air Force "won" the interservice battle, although, for a change, it deserved to. Cheyenne was canceled *after* production contract awards had been made, one of the few times in U.S. history a weapon has been so glaringly bad that even the Pentagon had to admit it.

But as soon as the Air Force was finished protecting its turf, it reverted, like a former alcoholic going on a bender, to its old ways. Air Force high-tech types began to argue that, although in realistic combat tests the plane and its fearsome cannon proved highly destructive (the A-10 gun had a 60 percent chance of destroying a moving tank in one "pass"), it just wouldn't, *just couldn't,* work without advanced weaponry. (To top the indignities off, the A-10's cannon functioned on the same principle as the Gatling gun!) So the planners equipped A-10 with a "smart bomb," the $70,000 television-guided Maverick missile. Maverick proved to have about a 15 percent chance of destroying a tank in one "pass." It had lots of other drawbacks, too. To fire his cannon, the A-10 pilot had to fly a straight, predictable course for only about two seconds—just long enough to look through the cross hairs and pull the trigger. To fire a Maverick, he had to line up Apollo-program electronics while flying level for at least ten seconds, greatly increasing his chance of being shot down.

But the problem was manageable; field commanders assumed that in a real fight, pilots would simply ignore the ineffective missiles and use their cannon. A more troublesome problem, however, followed. With the Army challenge deflected, anti-close-support generals once again ascended within the Air Force. They wanted to stop wasting money on an Army-oriented project and reserve all Air Force funds for starship-class superplanes like the F-15 and B-1. So each year the Air Force tried to cut the A-10 from its budget. Fortunately each year politicians put the funds back in. (This year, for example, the Air Force cut 60 A-10s, but Defense Secretary Caspar Weinberger reinstated them.) Next the Air Force shunted 72 of the first 400 A-10s straight to the Air National Guard, the only front line aircraft ever assigned directly to reserve duty. Once again the message was loud and clear: we still don't care about protecting troops. Once again the Army began plotting ways to go after tanks with helicopters. Vietnam helicopter battle plans may not have made much sense, but the real wild-and-crazy stuff was yet to come.

The Cheyenne That Wouldn't Die

The Army decided it would equip present and future helicopters with guided antitank missiles—missiles of the same general type that A-10 pilots were finding nearly useless.

Army designers might have preferred to use a powerful cannon, as A-10 designers had. Cannons, after all, were the ideal antitank weapon. German Stuka pilots had terrorized American tanks in World War II, using airplanes with single-shot cannons: automatic cannons like A-10s, meanwhile, could fire as many as 70 rounds

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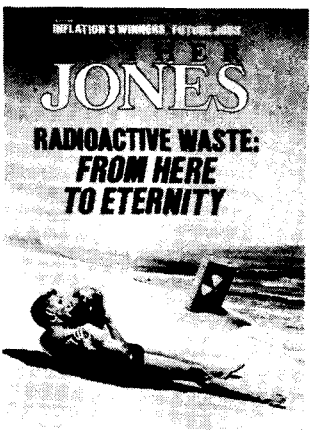

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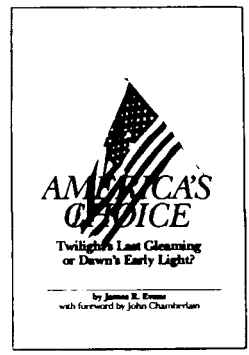

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per second. The advantage was obvious: with an automatic cannon, *you didn't have to have the target exactly lined up.* Pretty close was good enough. Automatic cannons were to guided missiles what the machine gun was to a marksman's rifle.

But helicopters couldn't carry a cannon as powerful and fast-firing as the A-10's. Its recoil would crack their fragile frames. Missiles, which fire without recoil, seemed to be the only choice. So the Army began to turn its Cobras into antitank weapons by equipping them with TOW missiles.

As readers of this magazine know, TOW had already replaced bazookas as the U.S. infantry's main antitank device (see " 'And If This Is Just Another Job . . ." by James Fallows, April). TOW is a good weapon for people who believe in divine intervention. It unravels a thin wire as it flies, enabling the gunner to control its course to the target. But as the gunner guides a TOW home, he must remain exposed to enemy fire. For an infantryman, this means standing up on the battlefield for ten seconds, which is about nine seconds too long. Now this concept was being adopted to helicopters. It meant hovering in the open air for ten seconds, which is about nine and a half seconds too long.

During the early days of the Iran-Iraq war, American-built, TOW-firing Cobras, flown by Iranians trained to standard U.S. tactics, were used against Iraqi tanks. At first the Cobras scored hits. But then, according to the defense industry bible, *Aviation Week,* Iraqi tank commanders simply learned to fire their .50-caliber machine guns at any helicopter they saw hovering. That was the end of that, *Aviation Week* reported. Cobras ceased to be a factor in the fighting.

There are times when the things military planners advocate become so astounding you have to wonder if those guys read the dosage instructions on their medication. After learning that helicopters traveling at moderate speeds and using moderate evasive tactics were sitting ducks to small-arms fire in Vietnam, TOW advocates now proposed having helicopters *hover* in full view of advancing Soviet battle formations—battle formations defended by countless machine guns and hundreds if not thousands of ZU-23-2s, the light cannon that tore up helicopters over Laos. (Also present on European battlefields will be the ZSU-4, a four-barrel version of the ZU assisted by radar.) Yet this plan carried the day. More than a thousand Cobras have been converted to TOW "platforms." Attack helicopters might have some useful functions in a European war, but the one function the Army is planning for, destroying tanks with TOW missiles, is not likely to be among them.

"Every last one of them will be blown away in the first 30 minutes of a European battle," said a former Army helicopter pilot.

Perhaps, then, the answer is a different missile. One is in the works. Also in the works is an entirely new helicopter to carry it, the AH-64A, which might be called "Son of Cheyenne." Son of Cheyenne is everything Cheyenne was supposed to be ten years later, a pure antitank helicopter with cost no object. It will carry small unguided rockets and a 30mm cannon, although the cannon will not be used against tanks—its low "muzzle velocity" enables it to fire without damaging the helicopter, but also means the cannon rounds are traveling too slowly to break through a tank's armor. Son of Cheyenne's primary weapon will be the new antitank missile called Hellfire, a missile that seems destined to inspire all-new heights in "electronic battlefield" complexity.

Hellfire will be launched by Son of Cheyenne but controlled ("remotely designated") by a soldier on the ground, or still another helicopter. That way Son of Cheyenne will be able to dash for cover after releasing its missile ("launch and leave"). Of course, the soldier or other helicopter controlling Hellfire must remain exposed during the missile's flight. But that problem, Son of Cheyenne's designers seem to say, will be handled by another department.

Son of Cheyenne will have more armor than other helicopters of the Vietnam era, but not enough more. The problem remains: if you carry enough armor you can't carry anything else. Therefore, Army planners say, in Europe pilots will "use the terrain for armor" by flying "nap of the earth." Helicopters will seldom rise above 100 feet. They will hide behind hills and trees, then "pop up" to look around or launch a missile. They will quickly "pop" back down.

Unfortunately, "pop up," like about-face, is a *predictable* straight-line maneuver. When a gunner sees a helicopter pop up, he need only fire

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beneath it to have a good chance of hitting it when the helicopter drops back down. Meanwhile, flying the "nap," just barely above ground, might work if European battles take place under Maginot Line conditions, with Us on one side and Them on the other and a stripe running down the middle. Helicopters could stay on the Us side, safe from ground fire. But battle—especially armored battle—does not take place along straight lies. Armored battles more closely resemble a series of swirls, tank columns breaking through at various points (even the best armies suffer breakthroughs) and circling each other. Helicopters flying into the swirling confusion of actual combat will likely have considerable difficulty distinguishing that terrain which can be used as "armor" and that which is full of hostile nap-dwellers longing for an easy target.

Attack helicopters operating in Europe will have other problems with real-world battle conditions that the planners, unable to solve, seem to have assumed away. In Europe helicopters will not only be confronted with massed machine gun, cannon, and rocket fire, things they rarely faced in Vietnam, but also two things they *never* faced—jet fighters and other helicopters.

Helicopters operating in clear air stand no chance against jet fighters. Their only escape is to dive in among the trees, where fighters cannot follow. So in a sense Army helicopters in Europe will have no choice but to fly "nap of the earth." But down low, besides making themselves prominent targets for ground gunners, they will also run into helicopters from the wrong side. Russian helicopters are more heavily armed and armored than their U.S. counterparts, but also bigger and less maneuverable—meaning they are even easier to shoot down than ours. Indeed, some defense analysts suspect the main role helicopters would play in a European battle would be to shoot each other down, and that it would all be over very quickly. Each side would expend its "one-time" high-tech weapons (mainly helicopters and missiles) in a brief flurry of destruction, then settle down to fighting something reasonably similar to World War II with its remaining tanks, artillery, and airplanes. Assuming, of course, that nuclear weapons were not employed. If you assume they will be, there's no point in talking about helicopters at all.

Nostalgia for Vietnam

Ronald Reagan's anything-goes defense budget has arrived, but so far all administration officials have done is pump more money into the Air Oblivion system. The Army still can't have the airplanes it needs, and the Air Force still won't look after the Army's requirements.

The Air Force is stalling the proposed CX transport plane project with all the resourcefulness of a civil servant delegated to cut federal salaries. *Armed Forces Journal,* hardly a home for softies, recently noted that the need for a $20 billion B-1 program is debatable, but "virtually every Pentagon planner agrees the nation is critically short of airlift." *AFJ* suggested that national interests might be served better by lots of dull cargo planes than by a few magnificent bombers. But Verne Orr, Reagan's Air Force secretary (whose main qualification seems to be his experience as director of California's Department of Motor Vehicles) is already in full swoon before the Air Force generals. He speaks of cargo planes as if they were a free cocaine program for juvenile delinquents. Orr recently suggested that instead of building new transport aircraft the Air Force could plan to "commandeer" some "747s and planes like that" in the event of an emergency.

Air Force generals still seem embarrassed by the success of their own A-10 program, giving the Army the edge it needs to build political support for the AH-64A Son of Cheyenne. Coming in at $15 million-plus per aircraft, Son of Cheyenne will cost more than *twice* as much as an A-10, which now runs at $7 million. More important, it will be nowhere near as *good* as an A-10—less effective against tanks and much easier to shoot down. But it will be dressed in Army greens instead of Air Force blues, and that, not national security, is what the issue is all about.

"Now they've got 'Army Aviation' and they've got their revenge for losing the Army Air Corps and whether helicopters can survive in a stiff breeze is none of your damn business," said a former Army officer dryly. The current Army basic operations manual, FM 100-5, states that "with combat experience in Southeast Asia, *the U.S. Army is the world's foremost exponent of airmobility*" (italics in the original). That the Army should actually boast of its Vietnam helicopter fiasco, and use it as justification for the present helicopter buildup, is nearly beyond comprehension. But at least the Vietnam reference puts things in perspective. If Air Oblivion flies again in a future war, its helicopters will be crashing—and American soldiers needlessly dying—in numbers that will make Vietnam seem like the good old days. □

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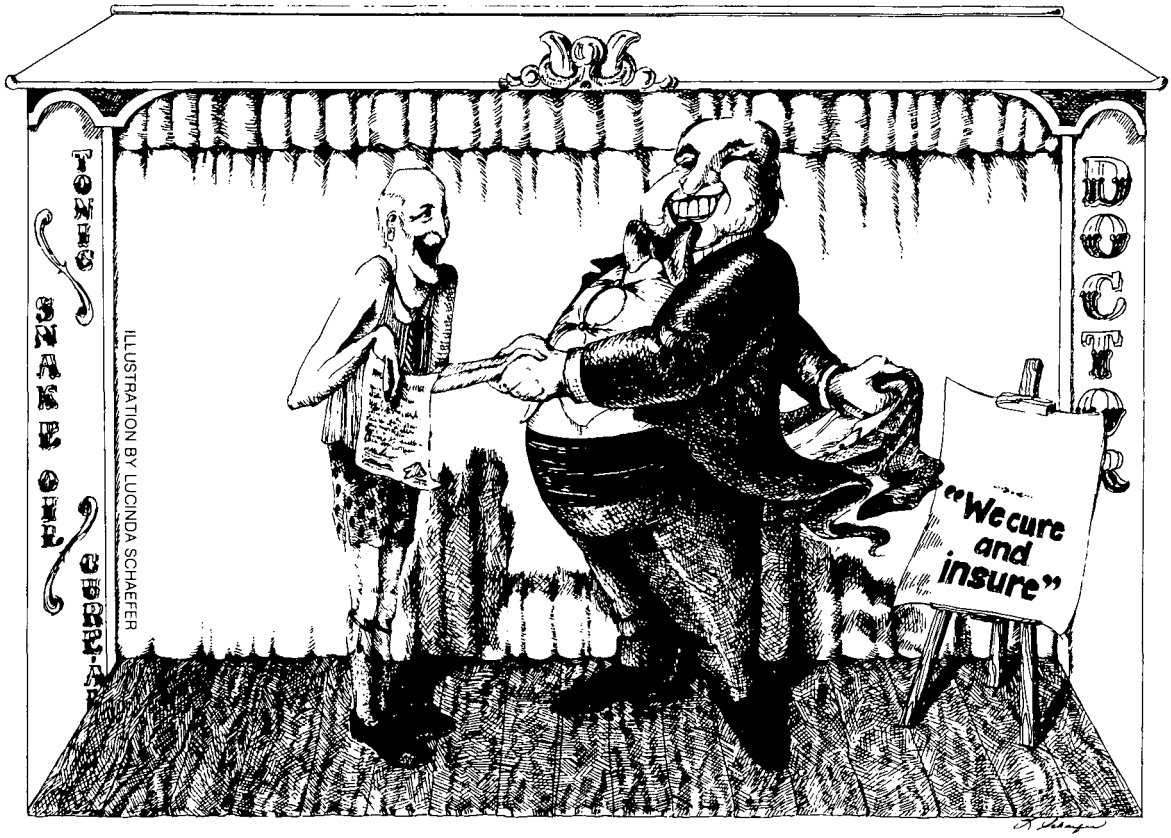

ILLUSTRATION BY LUCINDA SCHAEFFER

AARPscam

The little-known lawsuit that's fleecing millions of senior citizens

by Tony Capaccio

Perhaps the ideal client, from many lawyers' perspectives, would be someone who didn't even know he was in the case—so he couldn't possibly object to anything his lawyer did. That may sound like a hypothetical situation, but it's become reality in a New York courtroom. There an obscure but potentially far-reaching lawsuit is about to deprive more than 13 million senior citizens of some of their legal rights. The case is ostensibly a class-action suit on "behalf" of senior citizens. In fact, they will gain nothing from it; only the lawyers and organizations involved will benefit. And few of the 13 million "clients" will be aware that their rights have been bargained away for nothing—until it is too late.

This strange situation is the result of a class-action suit filed in 1977 against the American Association of Retired Persons (AARP) by lawyers representing senior citizens who had been deceived in the marketing of AARP-backed group insurance. Around that time, news stories from a variety of sources had revealed that AARP, supposedly a nonprofit educational and fraternal association for senior citizens, was actually little more than a sales tool for Colonial

Tony Capaccio is a staff associate for columnist Jack Anderson.

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Penn General, Inc.'s, group insurance policies. The 2.5 million senior citizens who'd bought AARP-backed Colonial Penn insurance seemed likely to be awarded cash damages. But, strangely, the class-action complaint filed in the wake of these stories didn't ask for any monetary compensation.

Since the stories broke in 1977, most of the objectionable AARP-Colonial Penn associations have been terminated, either by court order or under the pressure of unfavorable publicity. AARP members now have access to more desirable group insurance under a new carrier, Prudential. But the 1977 lawsuit, *Conway* v. *Davis,* grinds on. It has been "consolidated" with other suits involving AARP, Colonial Penn, and numerous officials of both organizations. The "class" has been expanded from the 2.5 million people who actually bought Colonial's group insurance to all 13 million members of AARP, the National Retired Teachers Association, and an offshoot group, Action for Independent Maturity. Lawyers for the class-action plaintiffs reached an agreement with AARP and Colonial Penn defense lawyers in November 1980. That settlement is pending approval by various judges and could become official by late December.

What does that settlement involve—cash damages at last for the defrauded senior citizens? Harsh penalties against AARP and Colonial Penn? Sweeping new levels of disclosure? Hardly. *The Washington Monthly*'s investigation shows that the settlement provides nothing of substance that AARP and Colonial Penn have not already agreed to—in some cases as long ago as two years. It does, however, create a nifty little insurance package for AARP and Colonial Penn. Buried in court documents are these words:

"Members of NRTA and AARP will be prohibited from suing Colonial Penn, Inc., NRTA, and AARP, and other defendants in the lawsuits for any damages they may claim arising out of the relationship between the two associations and Colonial Penn, Inc."

That clause means 13 million senior citizens are waiving their rights to sue for damages—without even knowing it. Not a bad deal for AARP and Colonial Penn. Why, then, are the class-action plaintiffs' lawyers—seemingly shining consumer-rights crusaders—going along? Do you suppose it has something to do with the fact that AARP and Colonial Penn are consenting to pay them up to $2.35 million in legal fees?

Welcome to AARPscam.

Retiring But Not Shy

The theory behind class-action lawsuits is that when a large number of people are wronged in such a way that no single individual can afford to sue, the group as a whole (the "class") can. Suppose 100,000 people buy cars that each contain a $100 defect. No one person can reasonably sue for $100. But if one set of lawyers represents the entire group, then a suit makes financial and legal sense.

Initially, courts required that people actively join a class, in some way saying, "Count me in." But in the 1960s the rules changed. It became possible to sue on behalf of unnamed people, including individuals who didn't even know they belonged to a class. (In this sense a "class" is any group with something in common, from skin color to buying habits; it doesn't necessarily mean social class.) Lawyers could sue for unnamed people as long as everybody in the class had a chance to "opt out"—to say, "No, I want no part of your suit, I'll either sue on my own or do nothing at all."

In general, it is assumed that members of a suing class are not at risk—they might not win damages (or not win all the damages they want), but they don't stand to *lose* anything. Not so in *Conway* v. *Davis,* the AARPscam case. While the 13-million-member senior citizens' class is theoretically "winning," the main effect of the case is to deprive the "winners" of their right to sue AARP and Colonial Penn for money damages linked to the organizations' dubious relationship. The "losers," AARP and Colonial Penn, meanwhile avoid paying damages—and it's a rare class-action suit, legal experts agree, in which the losers get off without making even token payments.

"Losing" this case could in fact be a significant boon to AARP and Colonial Penn. Last year two AARP members, John and Grace Copitka, sued in a California court, claiming fraud and unfair competitive practices by Colonial Penn. They won $500,000 in damages from Colonial Penn. That judgment may have been excessive—obviously no one is saying that each AARP member is due $250,000—but it indicates some real wrong has occurred, and those who bought the fraudulently marketed insurance deserve some compensation.

This logic is not lost on AARP and Colonial Penn's lawyers. Sidney Rosdeitcher, Colonial Penn's lead defense attorney and a member of the prestigious firm of Paul, Weiss, Rifkind, Wharton and Garrison, said that "we feel we are

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entitled to protect ourselves. We feel it fair to bar future legal action from similar cases. From the point of view of the defendants, a settlement without [the waiver of rights] wouldn't make any sense."

Any senior citizen who understands what's going on in this case, it's reasonable to assume, is most unlikely to volunteer for the *Conway* class. That doesn't matter. "Their" lawyers have selected the "opt-out" style of suit, whereby all AARP, NRTA, and AIM members automatically are included unless they actively extricate themselves from the class. Senior citizens have one and only one chance to opt out, and they'd better watch closely or they'll miss it. Under the terms of the settlement, the September issues of *Dynamic Years* and other AARP and NRTA publications will contain a two-page announcement about the suit. It is scheduled to proclaim, "The legal rights of members may be affected by the proposed settlement and the notice should therefore be read fully and with care." An AARP member reading this notice "fully and with care" will discover the procedure to be used in opting out of the settlement. A member who doesn't read the notice with care, or doesn't happen to flip to the right page, or whose September issue of *Dynamic Years* is inadvertently delivered to his stepdaughter in Juneau, Alaska, won't hear about the escape clause until it's all over. The one-time notice is the sole requirement imposed on AARP for letting members know they can opt out.

Just what exactly *does* the settlement "gain" for AARP members? It specifies, first, that AARP and NRTA magazines like *Dynamic Years* be opened up to general advertising. (In the past, Colonial Penn had a near lock on advertising in those publications.) It restructures AARP to keep the association's "honorary presidents"—Colonial Penn co-founders Leonard Davis and Ruth Lana—out of AARP board of directors' meetings without specific invitations. (Davis and Lana had been in the habit of attending the meetings "unofficially.") The settlement further calls for ending AARP endorsement of Colonial Penn products like homeowner's insurance and travel services, which are also marketed through AARP. It specifies transfer of all AARP membership data and mailing lists to the association—from the Colonial Penn vaults where they have resided for some 20 years. Finally, it mandates competitive bidding for AARP's group health insurance business.

Sounds like hot stuff—until you remember these "concessions" have already been made. General advertising in AARP magazines, for instance, has been going on since May 1979. AARP and Colonial Penn distanced themselves in terms of board membership and product endorsements in 1978 and 1979. Colonial Penn turned over AARP mailing lists and membership data under the terms of an agreement filed with the Securities and Exchange Commission on September 3, 1980 (although Colonial Penn was savvy enough to arrange to keep *copies* of the information). Finally, the competitive bidding for AARP's group-health business is already over—that's why Prudential is now the

After Reaganomics, What?

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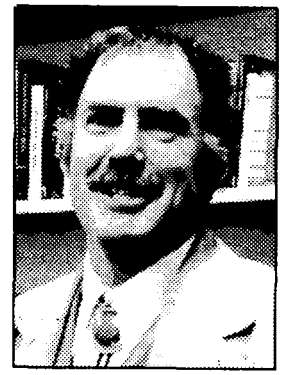

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association's carrier, not Colonial Penn.

Lloyd Wright, AARP's spokesman, freely admits that the settlement "simply mandates things that were already done."

Oh, the settlement provides one more thing—up to $2.35 million in fees paid by AARP and Colonial Penn to the lawyers who ran the class-action complaint. Technically, AARP and Colonial Penn do not agree to be assessed this fee; they just agree not to oppose the lawyers' request for it. It makes good business sense. A mere $2.35 million would buy them protection against tens of millions of dollars in possible damages, were AARP members' rights not being waived.

On a Collusion Course

The lawyers who could receive the fee see things differently. Michael Lesch of Shea and Gould, one of three plaintiffs' firms, says, "Everyone is being benefited." It's touching that he should show such concern for organizations that, as the plaintiffs' lawyers claimed in their original complaint, "exist primarily to increase Colonial Penn's corporate profits at the expense of AARP members." Perhaps it's understandable, though, because the relationship between Shea and Gould and the other plaintiffs' lawyers, the firm of Kaufman, Taylor, Kimmel and Miller and independent attorney Irving Malchman, seems to have grown rather relaxed, if not downright cozy.

For instance, the transcript of a hearing before Peter Johnson, a New York court-appointed settlement "referee," shows AARP lawyer Jeffrey Kalmus noting that the "framework" for the $2.35 million fee was "agreed upon orally" among the lawyers in private. The fee framework seems to have been a high priority in the plaintiffs' lawyers' minds since it was worked out in June 1980, Kalmus told Johnson, while the "details" of what senior citizens would get from the package were not settled until the fall of that year.

In referee Johnson's files are strongly worded letters protesting both the empty settlement and the generous fee. Several are from Hirschkop and Grad, a Virginia firm that represented former AARP executive director Harriet Miller when she sued AARP over its Colonial Penn connections in 1979 (forcing some of the reforms the *Conway* lawyers now claim credit for). Others are from Washington lawyer Joseph Yablonski. "By arriving at a large attorney's fee that [AARP and Colonial Penn] would not oppose early in the settlement," Yablonski wrote, "defendant's counsel obviously gained considerable leverage in the negotiations which followed. . . . Plaintiff's counsel may not have been sufficiently aggressive in protecting the rights of the absent class members when to do so might jeopardize the $2.35 million fee arrangement." *Might,* indeed. Colonial Penn's Rosdeitcher told me defense lawyers had agreed to accept the possible $2.35 million fee *only* if the other terms of the settlement—terms highly favorable to Colonial Penn and AARP—were upheld by the courts.

If the settlement is upheld by a New York judge in November and a federal judge in December, legal history will have been made. A class-action suit, designed as the champion of the little man, will have resulted in depriving 13 million aging little people (minus whatever small number see, understand, and act on the *Dynamic Years* escape-clause notice) of some of their rights, giving them nothing, and letting two large institutions that defrauded them off the hook.

Not all of the AARPscam perpetrators' problems will be over—*TWM* learned that the SEC is continuing to subpoena Colonial Penn documents and take depositions from its officers, and the U.S. Postal Service may revoke AARP's nonprofit mailing permit and sue to recover past postage discounts. But the most telling threat against Colonial Penn and AARP—suits for damages from AARP members—will have been extinguished.

Meanwhile, attorney Lesch of Shea and Gould calls the multimillion-dollar fee request "nominal." He says it's justified because the three plaintiffs' firms involved devoted 13,317 hours to the case. (That works out to $176 per hour if the full sum is awarded.)

It's hard to understand why the plaintiffs' lawyers had to keep the meter running so long—when every major "concession" they were "forcing" was in place *two months to two years* before the AARPscam settlement was made final (by lawyers meeting in private). It's also hard to understand why, if the case took 13,317 hours to figure out (that's six years and eight months, based on a 40-hour week), the people who are affected should have just one month to think about it. Under the terms of the settlement, once the lone opt-out announcement appears in September's AARP publications, senior citizens must act on it by October.

One thing is clear, however—just who's making "profits at the expense of AARP members" now. □

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But then today we have so much less to defend

Defense reformers, this magazine included, continue to protest the armed forces' alarming tendency to substitute a few expensive weapons for a large number of basic ones. In that regard, here are some interesting statistics about the air force:

- Twenty-five years ago (1956, a calm peacetime year) the air force had 24,572 airplanes. Today it has 7,034.
- Twenty-five years ago there were 1,913 bombers capable of long-range delivery of nuclear weapons. Today there are 412.
- Twenty-five years ago the air force had 3,840 of the "hot" fighter of the day, the F-86, and a total of 6,410 front-line-quality fighters. Today it has 661 "hot" fighters (the F-15 and F-16) and a total of 2,030 front line fighters.
- Fully 75 percent of today's air force airplanes are more than nine years old. This situation will steadily deteriorate even *with* the Reagan defense budget increases, because most of the money is going for just a few more of the most expensive, complicated planes.
- Twenty-five years ago the air force had 32 enlisted men and 5 officers for every airplane. Today it has 66 enlisted men and *14* officers per plane.

Good thing it wasn't a reception for the NBA champions

On June 18 the White House held a reception for the nation's mayors, many of whom were in town for a conference.

Samuel Pierce, Ronald Reagan's secretary of housing and urban development, attended the reception. When Reagan walked past Pierce, the president held out his hand and said, "Hello, Mr. Mayor."

Therefore application denied. But Mr. Manson, Mr. Berkowitz, and Reverend Jones, I'm pleased to announce that your requests for adoption have been approved.

Not long ago a book was published in England called *Can Social Work Survive?* The answer may be provided by this report from the London bureau of the *Baltimore Sun:*

"A Lancashire couple has discovered that a happy marriage can be a bar to adopting a baby.

"Harry and Esther Hough have successfully been foster parents to more than 40 children, from birth to eight, in the last four years. But the Wiggin local authority won't let them adopt children because their marriage 'exudes excessive harmony.'

"According to a letter Hough received from the social services department, 'It would seem from the interviews and reports that both of you have had few, if any, negative experiences when children yourselves, and also seem to enjoy a marital experience where rows and arguments have no place.'

"Under the circumstances, the letter said, children would have insufficient exposure to 'negative experiences.' "

Tidbits & Outrages

Discounts This Week on Drinking Water

Louis Messolonghites of Bethesda, Maryland, writes that after a recent week-long stay at Bethesda's Suburban Hospital, he was billed $246.34 for oxygen. But he had not used any oxygen—other than what is generally available to us all—during his stay.

Messolonghites called the hospital to complain. He was told there was always a charge for "standby oxygen."

SUPPLY-SIDE ON THE INSIDE

The victim of history's greatest theft was, you may recall, the cops themselves—specifically the New York City Police Department, from whom $73 million worth of dope (seized in the French Connection case) was taken in 1972.

A new book, *Papa's Game,* by Gregory Wallance, describes the heist. It also provides this look at one aspect of the federal penal system:

"The Atlanta Federal Penitentiary, the saying went in 1977, is a prison run by a warden and a committee of 2,000 inmates.

"Room service was available until nine in the evening. High-level Mafiosi imprisoned in Atlanta received expensive, imported Italian groceries daily and then prepared their meals in the prison administrator's mess.

"But it was also a devoutly 20th-century capitalistic institution, rewarding individual initiative and functioning on a strictly supply-and-demand basis. An inmate working full time in the prison industries at Atlanta might earn $3,000 a year, to be held until his release. His hourly wage was approximately $1.50. But if he sold barbiturates and amphetamines to other inmates, he could get $10 a pill. If he sold marijuana, his profit per pound was $3,000. If he sold heroin, his profit per one-third ounce was $20,000 (narcotics operations were so well organized that each cell block identified its runners by differently colored bandannas)."

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"I killed Gig Young!"

and other confessions from inside the NATIONAL ENQUIRER

LARGEST CIRCULATION OF ANY PAPER IN AMERICA

by Jay Gourley

Regulating fear is one of an editor's most important duties. It is generally known that reporters work best at an optimum anxiety level, though what that optimum level may be is still questionable.

To maintain proper stress, some editors use what are known as "Chinese bandits." Chinese bandits are reporters hated by their peers who are assigned to "help" on a beat when the regular reporter has demonstrated a lagging fear level. Other editors may wield the threat of writing obituaries or some equally dreadful items like "action line" or ombudsman's reports, or features for the food section. More softhearted or naive editors simply curse and insult their subordinates.

A few years ago, Generoso Pope added a brilliant new dimension to the fear-generating tradition of journalism. Pope is the owner of the *National Enquirer*. Actually, he is more than the owner. He has no ascertainable interest in life outside the newspaper, and no decision is known to have been made there in his absence. Pope's innovation was elegant: he would have two editors from the level of command just beneath him choose the best team of reporters that could be mustered to go into the same city for a week, during which time the teams would engage in the kind of ruthless reportorial competition of which Fleet Street legends are made. Afterwards, everyone on the losing team would be fired.

Since readers may judge such practices harshly, a few words bear mention on Pope's behalf. First, Pope has never billed himself as a king of kindness, though in my opinion he is probably slightly nicer than he and most others give him credit for. Second, he pays wages sufficient to mitigate a fair degree of brutality. But, most important, getting fired at the *Enquirer* isn't nearly as bad as it sounds. Severance pay is generous, and firing has other

Jay Gourley is a Washington freelance journalist.

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consolations. Pope recently had to forbid the use of freelancers in Florida, the newspaper's home state, because he found he was paying people he had fired more than people he hadn't fired.

Pope's plan worked beautifully. The "contest" strategy inspired new highs in stress. This is the story of one such contest. The city: New York. The year: 1978. The captains pitted in mortal combat: Malcolm Balfour and Shelley Ross. To this day, from the pubs of Fleet Street to the Foreign Correspondents Club in Bangkok, the events about which you will soon learn are regaled, debated, and embellished. As a participant in that epic contest, I now offer you the benefit of what even the great professionals of our time heretofore lacked—namely, the facts.

The 1978 contest was the first time in Pope's contest-staging that teams had been so mismatched. Balfour, though a South African by birth, had lived in this country for decades. Not only were his credentials established in the quality press where he'd worked most of his life, but he was (and still is) one of the world's most highly respected popular journalists. His list of scoops and sensations was almost endless. Only one month prior to the contest, he had distinguished himself with two world-class stories. He'd obtained history's first exclusive interview with a blind mountain-climbing guide. And he had sent reporter Dick Saxty thousands of feet aloft in a balloon with psychic Uri Geller, who radiated brainwaves while staring at complex secret patterns. Thousands of readers sent in what they had picked up from Geller's ESP radiations, and several new psychics were discovered.

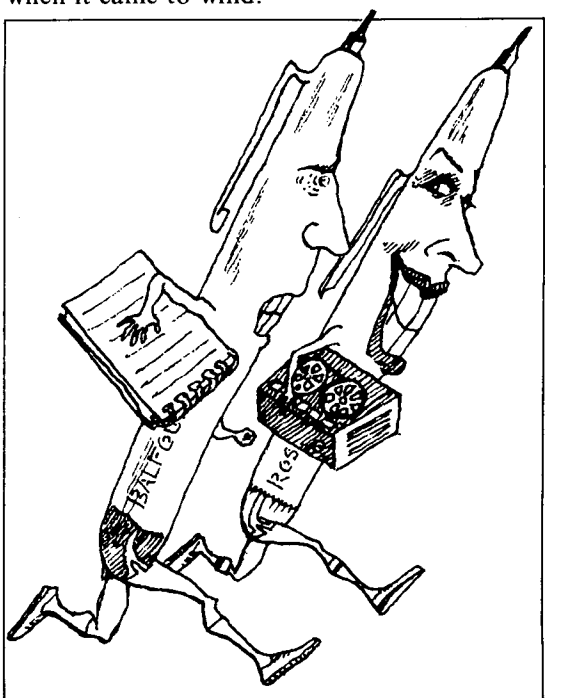
Ross, on the other hand, was beautiful, young, long on charm and even longer on inexperience. She seemed to have survived only by the grace of other *Enquirer* editors. That's the way it seemed, anyway.

As Balfour was clearly the favorite, he was able to gather around him the most formidable group of reporters ever to walk the streets of the same city at the same time, each a legend in his own time, each proud to be in the company of the others. Reporters (most of them British, an *Enquirer* tradition) like Jim McCandlish, Dick Saxty, David Wright, George Hunter, Jay Gourley—that's me—and two others who must remain nameless because of their affiliation with arch enemy Rupert Murdoch, owner of Pope's nemesis, the *National Star*. These last two had secretly turned against Murdoch for the week so as to enjoy what everyone expected to be a rout. In addition, we were assisted by top freelancers in New York—hard-hitting veterans like Steve Chao.

Ross, facing such clearly ordained defeat, was lucky to rally a group of secretaries and editorial assistants, though she did have the help of a few established pros like John Cathcart, who'd been out of sight for some time.

It's been three years and time blurs the crisp detail of memory, but I distinctly recall being the first of the Balfour team to voice concern over the contest—after I learned that Ross had taken two weeks' vacation to go to New York in advance. It was not the sort of thing one did when one was resigned to defeat, I reasoned. But except for Wright, the Brits hooted when I suggested we take the challenge seriously. Wright, known for his industry, and I, known for my brass, were the only members of the team who hadn't earned our reputations through extraordinary cleverness. Hence we were expected to be overly wary of the competition.

The contest was to begin on a Monday morning. Wright and I convinced Balfour he should send an advance party two days before. In fact, the whole team went up at various times on Friday and Saturday. But work did not interrupt the weekend. Ross's challenge was but a straw in the wind—and we were inimitable when it came to wind.



ILLUSTRATIONS BY ANN FEILD

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Eight o'clock Monday morning, October 16, 1978, saw the entire Balfour team still in their beds at the Westbury, attempting to recover from hangovers of historic proportions. We held our initial strategy meeting in Balfour's suite early that afternoon while one of us, unbeknownst to the rest, telephoned higher-ups at headquarters in Lantana, Florida, to explain that we hadn't phoned in our story ideas earlier because we were busy chasing a big one. He was lying, of course. No one had given the first thought to what we were doing there. When the fellow filing this phony status advisory reported that Ross had submitted a mind-boggling 105 story ideas at 8:01 a.m., my worst fears were confirmed. "Rubbish," came a chorus from the Brits.

Jim McCandlish took charge. McCandlish, a Scotsman who was generally regarded by the world press community as one of the fastest-thinking newsmen ever to lie his way into a secret meeting, had only a few days before been sent to the wrong place (an isolated town somewhere in the Dakotas) to interview an air force pilot who had narrowly escaped a UFO attack. Arriving at the end of his misdirected journey, McCandlish decided it was worth at least as much as his editor's job to discover what was going on there. Before sundown he had found a psychic medicine man who, by communicating with long-dead ancestors, was able to lead McCandlish to the unknown site of a lost Indian graveyard, later confirmed to be one of the major archaeological finds of the decade. This of course was an insignificant accomplishment compared with McCandlish's greatest scoop—presidential candidate Jimmy Carter's earth-shaking admission that he'd seen a flying saucer. Beyond even that, McCandlish had been in attendance at the Hong Kong Foreign Correspondents Club when some of the greatest natural disasters ever to ravage the eastern world were invented.

McCandlish's plan was simple. We'd "develop" 40 or 50 "top o' the head" story ideas, phone them in to keep us in the contest, then begin looking for meatier stuff to put us over the top. To give the first story ideas authenticity, I was to connect my small home computer in Washington to various large computer data bases around the country and obtain a list of research projects underway in New York City in such key areas as pet psychology, marital bliss, child obedience, and, of course, cures of any malady. The ideas we came up with were impressive: "Cornell scientists can cure the second most common kind of backache using magnets"; "Psychologists at New York University show a simple test can predict with uncanny accuracy if your toddler will become a juvenile delinquent"; "New York City's new pooper-scooper law is causing hard-hearted New Yorkers to abandon their pooches rather than take care of them."

The Scooper Scoop

The next step was for Wright, Hunter, and me to concentrate on miracle cures. I stayed glued to a computer terminal while they went to the big hospitals. The two Murdoch men got on the phone to steal ideas currently in the works at the *National Star*. Balfour arranged for a dinner at which he and I would entertain two of the world's foremost psychics, whom we had flown to New York to conform to the rules of the contest. McCandlish and Saxty went over to Dudley Freeman's place. Freeman is a remarkable Brit who operates a private library for the popular press of Europe. His office, usually inhabited by several lovely European girls, is mankind's greatest archive of the sum total of human understanding as reported in the popular press of the free world.

It all paid off. By the next evening we had a few dozen strong leads. And this time the leads were true. The psychic had given us the names of

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"I'll drink to that," says ace pop newshound.

To understand journalism in global terms, one must know what is meant by "quality press" and "popular press." No single criterion I've been able to imagine strictly defines the division. But a few general rules will give you some idea.

The motto of the popular press is "Tell them what they want to hear." The motto of quality press is "Tell them what they ought to hear."

The epitome of popular press is the *London News of the World.* (If you're not familiar with it, substitute *People* magazine or the *National Enquirer,* though neither qualifies as an epitome.) The epitome of quality press is *Foreign Policy* magazine, which as far as I know has never been read by anyone.

On the intervening spectrum most American dailies are quality-of-center. Most European dailies are far popular-of-center. American TV news is popular, except for PBS. European TV news is quality. Quality news revenue comes from governments, philanthropists, or parent companies supported by popular journalism. Popular news revenue comes from circulation and advertising. Quality journals don't pay their journalists as much as popular journals because it is a great honor to be published in them. This is the reason American television reporters make more money than American daily newspaper reporters. *National Enquirer* cubs start out at $40,000, while writing for *The Washington Monthly* is such a great honor that you'd probably send donations if you knew how little I'm getting paid for this story.

Historically, the life-cycle of a journalistic institution begins with its inception as a popular publication. It becomes financially successful. Its founder dies of old age. His heirs seek respect. They institute reforms that bring about awards, honor, recognition, quality, and financial collapse.

Popular journalists generally see quality journalists as dimwitted and pretentious. Quality journalists generally see popular journalists as immoral and brash. Television reporters are an exception, since they are generally seen as dimwitted, pretentious, immoral, and brash. Working on both sides, as I do, is like walking a tightrope. Most journalists—popular or quality—prefer to read (or view) quality news but to drink with popular news people.

—J.G.

five congressmen who regularly consulted him. Steve Chao had scheduled an interview with actor Gig Young. And Freeman, privy to the most sensitive of international journalistic communication, had put us on to an impressive assortment of brand-new medical anomalies and celebrity indiscretions. My faith in my colleagues began to return. In one day, we'd regained a sizable fraction of the lead Ross had built up during her two-week advance foray.

The bomb hit late the next afternoon. We learned that Pope thought our pooper-scooper idea—the one we'd phoned in the first day—was great. He wanted the story in short order. But a few quick phone calls confirmed our worst fears. There was not a shred of truth to the idea. The animal shelter population was at an all-time low. Our quickly organized dragnet of the city produced a lousy three abandoned-dog photos. The humane attitude of New Yorkers toward their pets was agonizing.

Pope, in a fit of integrity, had decreed all stories must be true. And as if our respect and fear of Pope's command were not enough, he had also instituted an auditing policy that made *Washington Post*-style hoaxes impossible even if we'd wanted to stage them. Pope's so-called "research department," had become a sort of KGB junior truth squad demanding that reporters produce legitimate experts to confirm even innocuous details of the least controversial stories. So dramatic was Pope's sickness that the European press feared his obsession with truth and accuracy might spread like a plague, destroying the lifeblood of modern journalism. We were trapped.

Institution of the research department had been largely responsible for Balfour's rise to stardom. Time and again Balfour had demonstrated an uncanny ability to quickly produce an honest-to-God authority on whatever needed attestation. But not even Balfour's legendary talents could produce the thousands of starving mutts necessary to authenticate the pooper-scooper exclusive.

After other, similar failures, the situation looked grim. Even the optimists were beginning to reflect on my rumbling about Ross's possible

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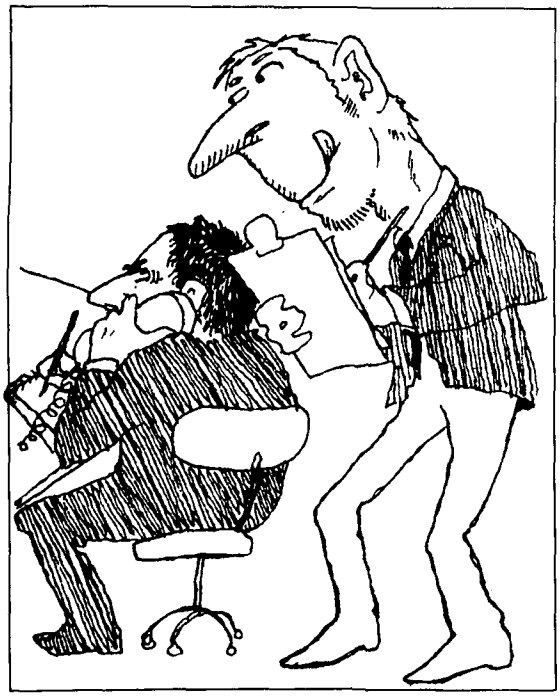

victory. Then the joyous news came. Everyone else accepted it as inevitable. I couldn't believe it. Gig Young had murdered his wife of three weeks and committed suicide. And guess who'd talked to him only a few hours before he pulled the trigger? Steve Chao.

Shouts of joy echoed down the hallway. It was precisely the kind of senseless tragedy every good newsman prays for.

Chao was one of the *Enquirer* brain children. A year earlier, Pope had decided that instead of hiring journalists he would go around to the big-name Ivy League schools and recruit the brightest graduates. Chao, an authority in classical languages, had graduated with honors from Harvard, where he was chief correspondent for the *Enquirer*'s Kennedy desk, ever on the lookout for late-breaking Caroline stories. He became a success in popular journalism after surviving a moment when Pope walked into the newsroom just as Chao was dropping trou to moon some colleagues, as well as a similar incident when he protested Pope's obsession with documenting every fact on tape by sitting at his desk with induction mikes suction-cupped to his forehead, a tape cassette in his mouth and earphones in his ears, making computer-like sounds. After full-time work for the *Enquirer*, he'd become a New York freelancer. And now Steve Chao had the last interview with actor Gig Young.

Chao's first-person story of the event was a little bland. The lead was something like "I'll never forget the pain in Gig Young's voice shortly before he murdered the woman he loved and turned the gun on himself." So we gave it the once-over. The improved version was something like "For the rest of my life I'll live with the pain that burns inside me when I ask myself, 'Could I have saved Gig Young in those last precious moments?'" We added a few more enhancements: "In my heart of hearts I must always live with the question: 'Did I cause Gig Young's death?'" And finally: "For the rest of my life I'll live with the pain of knowing I killed Gig Young."

Having written and filed Chao's confession to the murder entirely in his absence, we became concerned when someone raised the question of whether or not Chao was a "good sport." We all agreed he was. But we never found out.

A first-person interview shortly before the suicide of a famous actor was enough to keep Ross off our backs for awhile. But it wasn't what Pope wanted. By the time we could hit the streets with the story, Gig Young's death would be several days old. Pope wanted the "inside story on why he did it." And he wanted the two teams to work together on it.

The meeting of the teams was a dramatic one. Ross and Balfour conferred by phone with unknown higher-ups at headquarters while we agents of truth sat in the next room nervously awaiting their orders. Finally the two emerged to address the waiting troops. "Here's the story line," Ross said. "Gig Young foresaw his own death." Pencils began scribbling. But not all of them.

I glanced at Balfour. He was expressionless. Wright was worried, though. He had always been concerned about my lack of prudence. Originally, I had been admitted to world-class journalism after making off with Secretary of State Henry Kissinger's household garbage from under the noses of heavily armed Secret Service agents [see "Beyond the Pail" by Jay Gourley, *The Washington Monthly*, October 1975]. Kissinger's official reaction through the State Department press office was the most undiplomatic of his career. Similar accomplishments had established me as a man who could be counted upon to drive even the most sedate world leaders to threats of violence. In newsrooms throughout the world, my name had become synonymous with reckless excess. Wright, on the other hand, was known for a more meticulous brand of journalism. He'd just spent weeks doggedly tracking down Howard

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Cosell's lost childhood friends, who testified to the fact that Cosell was hated even as a youngster. More important, he had single-handedly brought to world attention the revelation from honest-to-God respected scientists that drinking beer prevents heart attacks. That story, displayed prominently by supermarket managers, sold 6.3 million copies of the *Enquirer,* more than any story in history except one. Both Wright and Saxty had had a hand in that one. It included the famous photo of Elvis Presley just before he was buried.

Wright was shaking his head signaling me to remain silent. But Ross spotted us. "What's the matter?" she asked me. I stammered, trying to think of a polite way to put it. Then Wright, with the delicacy of his British breeding, saved me: "Shelley, I like that story line a lot, but it may be difficult to make a lead of his knowing in advance, since he did shoot himself. Some people might use that as a flimsy excuse to criticize the story."

Now, a lot of people are very defensive when it comes to someone challenging them like that. It so happens that none of them works at the craft of journalism, where being defensive has more to do with one's quickness at dodging flying objects. Ross was no exception. She shrugged and went back with Balfour to the adjoining room for another conference with headquarters. Later they returned with a new story line. The murder and suicide of Gig Young and his wife were to be a love pact: "If they couldn't live together, they would die together."

At this point I lost sight of the whole story because we hit every corner of the city, each of us independently phoning in details of the love pact to Balfour and Ross. I went to the police station, where several officers explained their role in the investigation. Of course they couldn't allow me to see any of the personal documents recorded, but one patrolman did agree to pose for a picture holding the will, even to turn the pages as he'd done as part of his official investigation a few hours earlier. Late that night a weary photo lab technician gave us the first wet blow-ups of the will, which, as I recall, contained much information supporting the love-pact story line. But not enough.

As I said before, Pope had instituted a policy of printing only true stories in the *Enquirer.* That a newspaper would seek out people who claimed to be in telepathic communication with UFOs that once captured them and then demand those people take lie detector tests to ensure their veracity is something that has always seemed a

bit incongruous to me. But true to his policy of strict accuracy, Pope flew one of his junior G-men from the research department up to New York to clear each detail of the Young story on the spot.

We decided to go to the races the next day and not worry about it. As a result of the researcher's persnickety intrusion and our absence from the defense of Young's love pact, the story fell through. The *Enquirer* was left with nothing but a standard rollercoaster-ride-to-death story about Young's last few days.

One of the interesting things about racetracks is that they do not have telephones and they don't page people. So when we heard "Will Malcolm Balfour please report to the Red Cross station," we were understandably worried. "This is a firing situation," Balfour said solemnly. The gravity of our plight did not merit missing the seventh race, on which several hundred dollars had already been wagered, but when it was over, we ran more than a mile to the nearest telephone, at a Texaco station down the street from the track.

With Balfour listening, I breathlessly swore to the researcher that Balfour had not come to the track. He had an important interview to conduct elsewhere, and I would try to find him and have him call in. Then Saxty, not an early riser—he'd missed the train to the track—broke in on the other end. "The jig's up," he said. Headquarters knew we'd bugged out of an important story to

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go to the races at the most crucial time. All of us were as good as fired. The last message was for Balfour to call Ian Calder, who is Pope's righthand man, which is to say he's the one who actually fires people. Never having faced a live, blood-hungry shark, I could not personally contribute to the ensuing conversation about Calder's physical resemblance to the inimical beast.

There was no hurry getting fired. We were still in the Big Apple and still authorized to entertain people at Pope's expense. With only hours to live, we decided to go for the big one.

Our first stop was the Carlyle piano bar. Saxty and McCandlish were still trying to tell Wright and me that there was nothing to worry about. In fact, one of them started making advances to a beautiful, bosomy blonde who was sitting around the corner of the bar from us. Then who should walk in but Harry Reasoner, the famous and highly married CBS newsman. Within five minutes he was giggling and cuddling up to the blonde, and within six I had the miniature flash mounted on my Minox camera. "Hey, Harry!" I yelled. He turned. I flashed. The proprietor had us on the street in seconds.

Knowing that several careers hinged on what would later resolve in the photography department's developing tanks, I reentered the bar. "One more, Harry," I said. He turned again. I flashed again. The proprietor threw me out again. He was angrier than anyone I'd ever seen, except for a few weeks ago at the National Rifle Association's national convention in Denver when NRA boss Harlan Carter noticed that my press badge displayed the name "Ramon Casiano"—a Mexican boy Carter had shot to death during an argument in Laredo.

We were ecstatic. We had yet to dispose of the first hundred dollars of Pope's money that night and already we had a chance at survival. With the pictures in hand, obtaining the usual quotes about how Harry's new love had changed his life would be a snap. To celebrate we dropped into one of New York's finest Italian restaurants. Balfour was getting up from the table to place a call to Calder and leak word of our little coup when I demanded that he be seated. Behind him was actor Peter "Columbo" Falk, and Falk was trying to order by pointing to the food sitting in front of McCandlish. My drastic eye movements signaled McCandlish, and within minutes we were all sitting at Falk's table.

The *Enquirer* had just written a story about how success destroyed Falk. Falk was reported not to have taken it too well. In fact, his hatred for the *Enquirer* and its duly constituted representatives was so great that discovery would be a likely precursor to broken teeth and noses. Therefore it was important that Falk not realize he was jesting with his nemesis. We were trying to figure a way to work the conversation into something that would be a good *Enquirer* story when Falk turned to McCandlish and said the immortal words "You're a Taurus, I'll bet." Suddenly I knew how Moses felt when manna descended from heaven. At least four hands fumbled inside pockets, turning on miniature tape recorders. In 20 minutes we had enough tape to make a stereo album. Describing how astrology shaped his career, Falk also gave us his thoughts on why his newest marriage would be a happy one ("Peter Falk's Five Rules for a Happy Marriage"). On the same historic role of color film with Harry Reasoner's new love were Falk and his new bride eating out of a spoon held by *Enquirer* reporter Jim McCandlish.

Talk spread of how our clever and meticulous planning had culminated that night in New York in two of the biggest scoops of the year. New York's pooper-scooper cruelty was forgotten. Gig Young's rollercoaster ride to death was forgiven. In fact, the research department was scolded for being too severe about Young's love pact. Falk's astrological career planning made page one, and his secrets of a happy marriage led one of the early odd-numbered pages, as did the new love of Reasoner, who later divorced his wife, giving our scoop added generations of follow-up stories. Ross's team was disbanded despite the dozens of good stories they'd dug up that week.

In the end, my colleagues were right. A rank amateur like Shelley Ross and her ragtag band never had a chance against serious, dedicated professionals like us. □

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Why American Voters Should Watch French TV

by Joseph Nocera

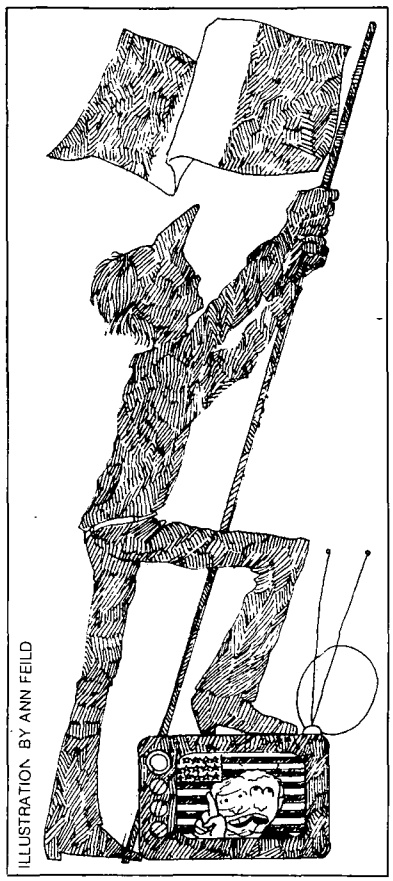
ILLUSTRATION BY ANN FEILD

Four times between April 26 and June 21 the French went to the polls to vote in national elections. All that voting, as everyone knows by now, wrought profound changes in France, and, indeed, to be living in France as the elections unfolded was to be acutely aware that you were watching a bit of history.

Yet, as I watched the returns on French television each election night, I found myself dwelling not only on the historic results but on another election statistic—one I found consistently amazing, but which the French seemed to take entirely for granted. That statistic was the level of voter participation, so startling because, from an American point of view, it was so impressively high.

In the two rounds of the presidential election, some 87 percent of those eligible to vote did so. In the legislative election, the numbers dropped, but not as much as you might expect: 71 percent voted in the first round, and 76 percent in the finals a week later. To an American, accustomed to seeing little more than half the electorate vote in presidential elections (53 percent turned out last November), and considerably less than that in nonpresidential races, these are truly remarkable figures.

The figures look even better when you consider a few of the circumstances surrounding the elections—for instance, widespread voter dissatisfaction with all candidates in the first round of the presidential race, which is not the sort of attitude that engenders high voter turnout. In addition, by the time the legislative elections rolled around, the electorate was very tired of all the politicking. For this reason, French commentators said, "only" 71 percent of the voters went to the polls in the first round. Yet 71 percent is a voting percentage unimaginable in America. Such a figure prompts further investigation: Why is it that the French vote in large numbers almost as a matter of course while more and more Americans prefer to stay home on election day?

No doubt part of the answer lies in areas like cultural differences and voter psychology. But it isn't *just* a matter of intangibles. The French, it turns out, have a number of election laws that, while not necessarily designed to make people vote, do have that practical effect. These are simple, sensible steps that we would do well to think about taking if we were truly serious about halting the steady, seemingly inexorable, decline in voter interest.

Meetez le Press

The first and most obvious of these measures—and one aimed explicitly at voter participation—is the French practice of holding elections on Sundays. There are a number of

Joseph Nocera, a contributing editor of The Washington Monthly, *lives in Paris.*

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bills in Congress that would make this an American practice as well. It is a good idea. You don't have to be French to know Sunday voting makes it vastly easier for working people to get to the polls.

But making it physically easier to vote is not by itself going to guarantee increased voter participation. After all, the United States has done many things over the years to make voting easier—abolished the poll tax, simplified registration, eased residency requirements—and none of them has stemmed the tide. The root cause, surely, is a matter of attitude, and here especially we can learn something from the French.

The main difference between an American and a French election campaign is that in France there are no paid political advertisements on television. No David Garth-like productions showing Mitterrand strolling along the beach with his dog, or Valery Giscard d'Estaing staring out a window of the Elysee Palace, trying to look presidential. Political advertisements have been banned from French television since the dawn of the television age; as a result, politicians have had to find other ways to get their message across. In part they rely on methods American politicians would consider crude or outmoded. Poster and billboard campaigns are a central part of any French election; likewise the practice of stuffing mailboxes with candidate literature. And French politicians rely heavily on good old-fashioned barnstorming.

Of course, television hasn't been eliminated from French electioneering altogether; it's just handled more sensibly than in the U.S. Once the campaigning is under way, each candidate is invited to appear on the various French versions of "Meet the Press." These shows run during prime time, and because of the advertising prohibition, they are important to a French politician in a way "Meet the Press" never has been in America. A candidate can also attempt to make the nightly news by doing something "newsworthy" during the day. This, however, is the least reliable method: because French television news is far less systematic and predictable than its American counterpart, there's a better-than-even chance that the candidate's earth-shattering speech will be overlooked in favor of, say, a feature story on Dutch squatters. Finally, as election day draws near, the law requires that all candidates be given free television time to state their views. The total time is about an hour and a half, usually broken up into 15-minute segments. Each night, just after the news, two such segments are shown. On the Friday night before the election, all the candidates have an additional five minutes to make last-minute appeals.

To an American, the concept of free television time is by far the most surprising element of a French election, not only because such time exists but also because of the way it is used. The candidate sits at a plain desk in a small room, facing the camera. He is allowed to bring with him supporters who wish to endorse him, or "journalists" who will ask questions designed to make him shine, or small charts and diagrams to help him make his points. What he *cannot* use are filmed spots, sophisticated props, or anything else that smells of slickness.

Exercising the Frenchise

What does this have to do with voter participation? Plenty. Fifteen minutes is a long time to sit before a television camera. Candidates are forced to say something meaningful about why they are running. They must speak to the people of France about their ideas, their plans, the shortcomings of the opposition, their hopes and dreams for the country, and about why they believe they are worthy of the voters' trust and support. In other words, they must appeal to their countrymen in a relatively straightforward, unadorned way.

When the French go to the polls on election day, they don't feel their choice is between Media Candidate A and Media Candidate B. There is not that sense of being manipulated by candidates whose main attributes are a toothy smile, good television "presence," and a knack for 30-second quotes.

The species of political animal known as the media candidate scarcely exists in France. The French have a fuller, richer sense of their politicians. The men and women they see on television have weaknesses as well as strengths, bad ideas as well as good ones—in general, a normal human allotment of foibles and frailties. And, having seen their politicians as people rather than media clones, they are far more willing to cast their ballots for such persons, even when they are not particularly enamored of the choices. The candidates have their flaws, they think, but so do we all. For all their reputed cynicism, the French are in fact far less cynical about politics than we are in America. Surely this attitude is due largely to the fact that they don't feel, as so often we do, that politicians are trying to dupe them through sophisticated television.

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The Washington Monthly Journalism Award

May 1981

is presented to

Patrick Tyler

The Washington Post

In a four-part series entitled "Dirty Water: A Federal Failure," May 11-14, Tyler explained the ways in which federal pressure to clean up pollution spawned a water pollution control industry that took on a life of its own, affecting localities, the budget—everything but the water quality for which it was intended.

The Washington Monthly Journalism Award

June 1981

is presented to

Florence Graves

Common Cause

Graves, who is editor-in-chief of the public interest group's new magazine, wrote an article in the June issue entitled "The Reagan Teamster Connection: A Political Payoff?" describing how the Teamsters engineered the appointment of Reese Taylor, their hand-picked candidate, as chairman of the Interstate Commerce Commission. Graves analyzed how the Teamsters' political clout and Reagan's commitment to continued trucking regulation played a role in the selection.

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The French system has several other advantages worth mentioning. First, although there are no disclosure laws for campaign contributions, people are not overly concerned about special-interest influence in elections. And indeed why should they be? By eliminating the paid political commercial, the French have also eliminated the biggest reason politicians need enormous campaign treasuries. Is there any reason American candidates must raise millions upon millions of dollars if not to pay for television time? If the French system were adopted in America, the influence of PACs, which has come to dominate American political campaigning, would be vastly diminished. All that PAC money just wouldn't be needed. (For an earlier explanation of why we should ban political television ads, see "How to Take the Big Money Out of Politics" by Curtis Gans, *The Washington Monthly,* April 1979.)

A second worthy sidelight has to do with people. Because French politicians cannot rely solely on television to get their message across, they must use people and the party apparatus. It is people, after all, who put up posters, pass out leaflets, and stuff mailboxes. These techniques may sound primitive, but they are precisely the sorts of activities that make citizens part of the political system. As American politics has become ever more televised and computerized, it is these people-oriented activities that have been lost in the shuffle. Is it any wonder, then, that Americans are alienated by politics and feel left out of the political process?

France's handling of television campaigns, I hasten to add, is far from perfect. For one thing, free time is not necessarily free for minor candidates, who must put up a substantial cash deposit against five percent of the vote. For another, time is granted proportionally according to the strength of the political party, which has the effect of insuring that the incumbent gets the most time.

But on balance the system's good points heavily outweigh its drawbacks. In fact, as a French export product it would certainly beat, say, nuclear reactors. Unfortunately, the American electoral model seems to be doing better on the world market. In the recent Israeli elections, for instance, New York media wizards David Garth and David Sawyer treated the Israeli public to our own special brand of electioneering vapidness. The genie, as they say, is out of the bottle. Perhaps by imitating France we can get it back in. □

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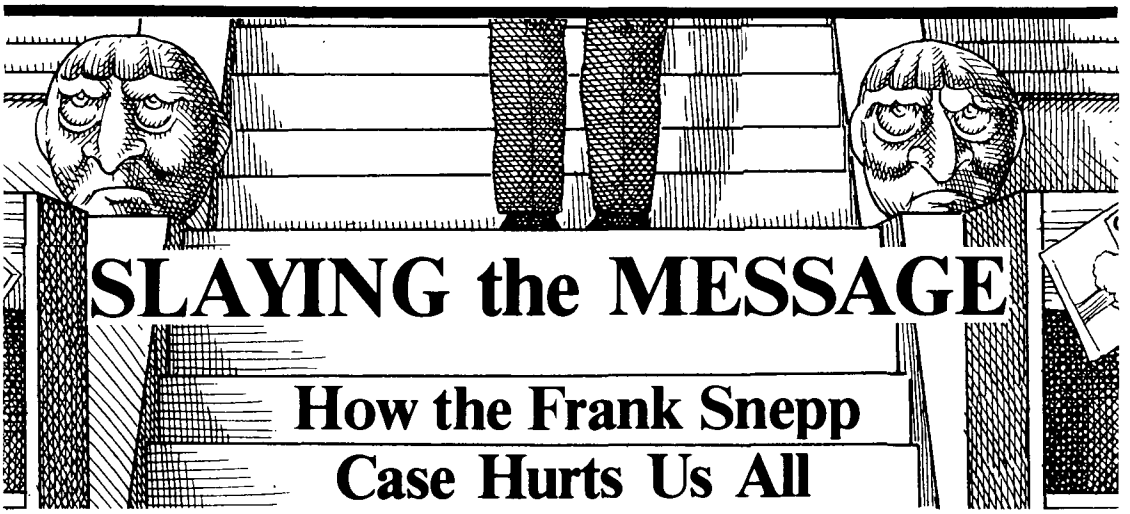

SLAYING the MESSAGE

How the Frank Snepp Case Hurts Us All

by Jonathan Alter

Philip Agee is one of those names from the past that keep bubbling to the surface of the news. In June, the Supreme Court upheld the right of the State Department to revoke the passport of the renegade ex-CIA agent, and both houses of Congress have begun consideration of bills that would make it a crime for anyone to imitate Agee and reveal the names of agents, even if that information can be gleaned from public sources.

One suspects the real reason the CIA is pushing this legislation is that its own security system is so lax; most of the classified information Agee has revealed in recent years he learned *after* leaving the Agency. Instead of cleaning up its act and making it tougher to uncover the names of agents, the CIA wants Congress to go after the symptom of its own ineptitude—the reporting of the information.

All of this, of course, grows out of a new "sensitivity" about national security, but it's fair to say that Agee and his cohorts at *Covert Action Information Bulletin* deserve a share of blame for the backlash. They still fool some people who are unable to distinguish between an attack on the Agency that Agee himself says is intended to destroy it, and the kind of harsh but constructive criticism that might actually allow the CIA to learn something from its past mistakes.

When he is allowed by the government to open his mouth, the best exponent of the latter view is Frank Snepp, the CIA's chief strategy analyst in Vietnam at the end of the war and the author of *Decent Interval,* a gripping and enormously instructive account of the collapse of the Saigon regime in 1975. Snepp, who left the Agency in 1976 at age 33, knows from personal experience about the CIA's tendency to blame the bearer of bad news instead of deal with its own inadequacy. He also believes Agee's approach is destructive, if not traitorous, and that there has to be a different way to analyze the CIA—a Third Way, it was called, when the subject was the future of Vietnam.

Right now, ironically, Snepp himself is considerably worse off than Agee—in fact, he's nearly broke. In February of last year, the Supreme Court decreed not only that Snepp had to clear virtually everything he writes—fiction and nonfiction—with the CIA, but that he must "disgorge the benefits of his faithlessness"—a fancy legal way of saying that because he had not cleared the manuscript of *Decent Interval* with the CIA before publication, he had to turn over all the royalties he earned to the government. That has amounted to about $150,000. Agee was luckier; he drew a liberal judge—Gerhard Gesell—who allowed him to keep the profits from his books.

But the fact that Snepp is broke and Agee isn't may be the least of the poetic injustices involved in the long, drawn-out controversy over the CIA's apostates. What's worse, for Frank Snepp and anyone else interested in reforming the Agency, is that all this talk about naming agents and cracking down on disclosures means Snepp is now indelibly linked in the public's mind with other, less reluctant CIA renegades like Agee, Victor Marchetti, and John

Jonathan Alter is an editor of The Washington Monthly.

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Stockwell, who wrote a book revealing secrets about covert operations in Angola.

Newspaper and magazine accounts link them all in one breath; so do recent fiction thrillers like *The Matarese Circle* by Robert Ludlum. When Snepp recently tried to peddle a screenplay about his case, many Hollywood types thought he *was* Agee. Hadn't he fled abroad to blow secrets and endanger lives by naming names? Snepp hadn't, of course; in a government where too much is over-classified, he revealed no secrets. But the confusion comes as no surprise. When people on the left rise in defense of critical ex-agents, it's natural that Marchetti, Agee, Snepp, and Stockwell get lumped together; those are all the apostates they've got. Over on the right, supporters of the Agency who take a hard line on funny business by ex-agents go further. They take this group and throw them in with men like Frank Terpil and Edwin Wilson, the ex-CIA men who sold weapons to Qaddafi.

As far as the Agency itself is concerned, the more fudging of lines the better. If critics get lumped together with profiteers, it's easier to write them all off as threats to national security; and if responsible critics are confused with less responsible ones, the overall desecration of the temple can be kept to a minimum.

What this mentality ignores is that someone like Frank Snepp never really desecrated the temple in the first place. He doesn't fit either the right's all-inclusive "loose lips sink ships" mold or the left's search for ways to flatten the Agency. And because he doesn't fit—because he stands defiantly, even arrogantly, in the no man's land of moderate politics—Frank Snepp's story has never registered on the national conscience.

A year and a half after the Supreme Court's landmark decision in his case, the injustices he and the First Amendment suffered at the hands of the government remain distinctly under-appreciated. Likewise, the important lessons his book teaches about how the CIA breaks down and how it can be made more competent and responsible have been lost amid ideological crossfire. Between the extremes of defending and destroying the CIA, there is the idea of improving it. As Snepp knows all too well, it's an uneasy middle ground. His phone—when he has the money to pay the bill—doesn't ring much any more.

Decent Exposure

When Jimmy Carter's CIA director, Stansfield Turner, decided to single out Frank Snepp and ask the Justice Department to prosecute him for violating his secrecy agreement, he saw the Snepp case as an object lesson for other former agents tempted to write books about the Agency without prior clearance by the CIA's Publications Review Board. But the real object lesson, Turner should have realized, was not in Snepp's case but in his book. The point of *Decent Interval* was to improve the Agency by telling the truth about a botched mission—the evacuation of South Vietnam—that reflected in a thousand ways on the question of why the CIA has not been as good an intelligence service as it could be.

Snepp had hoped the Agency would undertake this task itself. On returning home in 1975, he sought repeatedly to convince his superiors to conduct some kind of internal post-mortem. How could firm intelligence indicating a direct assault by the North Vietnamese against Saigon have been ignored? How could the fiction of a negotiated settlement have been maintained to the point where the CIA station chief, Thomas Polgar, believed *up to the day of the final evacuation* that it was more important to get Polish and Hungarian diplomats back to their hotel safely than to assure the evacuation of faithful Vietnamese? How could the CIA's system have become so fouled up that thousands of personnel files identifying Vietnamese who helped the Americans were left behind for the victors?

The answers to these kinds of questions were "too complicated," Snepp was told by the CIA's inspector general's office. Despite the scores of blown secrets and betrayed agents, there would be no investigation—not even a whitewash. Meanwhile, Polgar and U.S. Ambassador Graham Martin, along with Henry Kissinger and William Colby, began leaking to favored reporters their own self-serving accounts of what had happened. This really set Snepp off. In early 1976 he resigned from the Agency to write his book.

What's so important about *Decent Interval* is that its message extends beyond the specifics of Vietnam. When Snepp describes how practically everyone in official Saigon knew which embassy officials were with the CIA because they were the only ones who drove Ford Pintos, he's saying something about the chronic problem of comic-opera cover that has long plagued the Agency. When we see Ambassador Martin declaring only days before the evacuation that sensitive documents can't be burned because the dust from the

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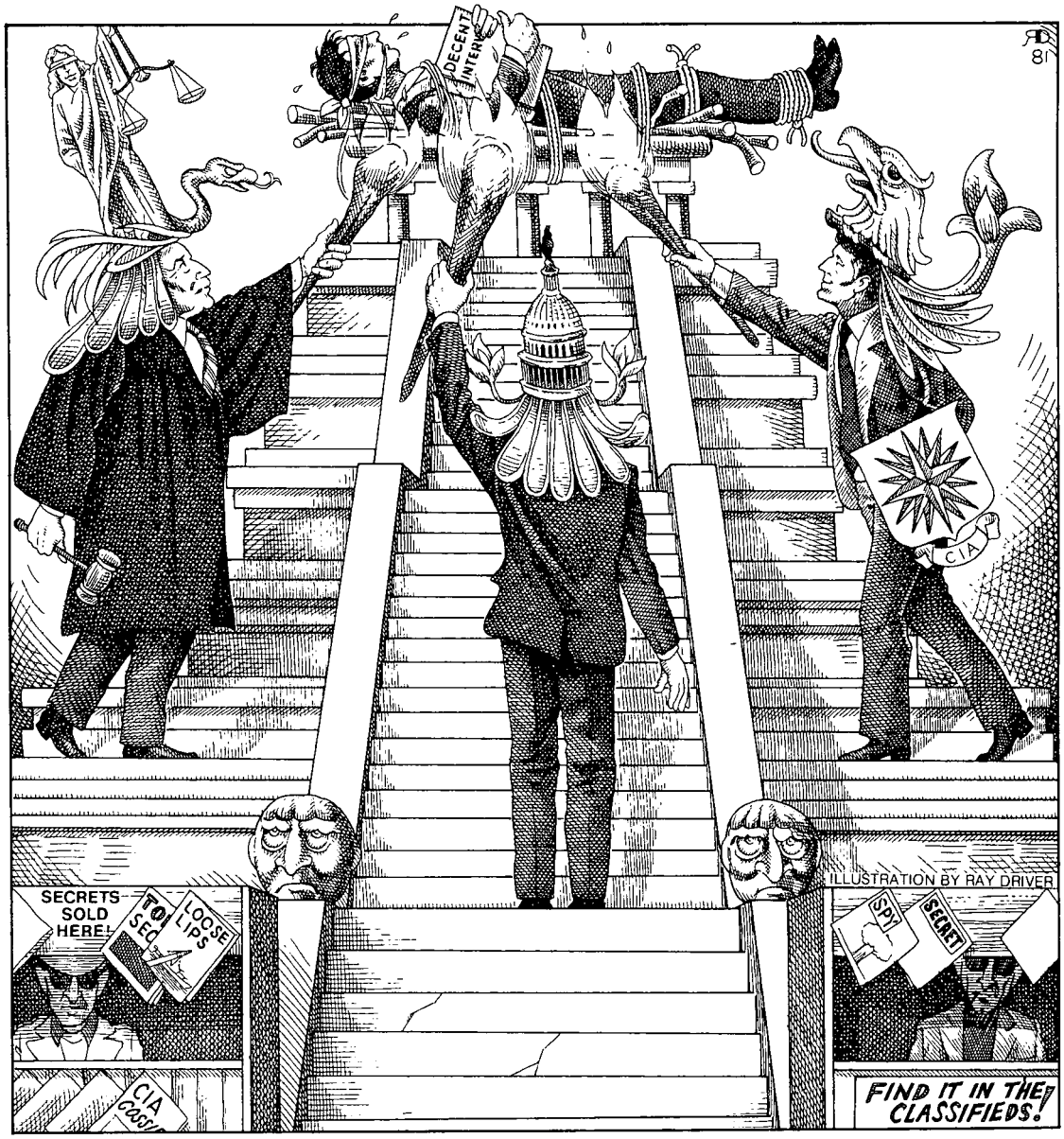

incinerator will smudge his limousine, we know there's something wrong with the way information gets registered at the highest levels of an American embassy. Martin and Polgar consistently filtered out hard intelligence indicating the end was near, and when it did slip through, Kissinger ignored the evidence.

By describing how the truth gets lost as it moves up the chain of command, *Decent Interval* illustrates one of the government's classic problems: the officials in the field don't want to report bad news and the policy-makers in Washington don't want to hear it. Both groups fear short-term harm to their reputations. Who wants to be the guy saying, "It's lost, it won't work"? This is one of the keys to what went wrong throughout the war in Vietnam and what happens in the government every day. The cost of ignoring events and intelligence that don't fit preconceptions is not considered until it's too late. By that time, the blame can be passed around—or disregarded. Understanding this phenomenon is essential to any examination of the American system, and Snepp's case study explains it best.

Because he revealed new details about the indecent end to a 20-year foreign policy commitment that deeply shaped American life,

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Snepp's account broke like a Tet Offensive bombshell when it was published by Random House in 1977. But once the emotional charge wore off, it was clear the lessons had not been absorbed. In a 1978 press conference, Jimmy Carter drew a distinction between "legitimate" and "illegitimate" whistle-blowers and put Snepp in the latter category. "I have not read the book," the president said without regret. "I don't know the substance of it [and] don't believe that he has revealed anything that would lead to an improvement in our security apparatus."

Had he read and absorbed Frank Snepp's message—that the government must figure out ways of circumventing the bureaucratic obstacles to obtaining truth from the field—a certain group of 52 Americans who symbolized the failure of his presidency might not have been seized in the first place.

The voice on the radio screamed, "Save me! Tell me where to go! I'm Mr. Hai, the cook!"

Snepp had hoped not to "touch anyone's ideological nerve," as he put it in his foreword. He didn't want to refight the rightness or wrongness of the war. As a way of approaching a book on Saigon's end game, this made sense. The reader gets a view of how the system malfunctioned that is seemingly free of cant or any other accumulated baggage of two decades of tortured thinking on Vietnam. But Snepp underestimated the power of his story, the chill that runs through the reader when the voices of the doomed Vietnamese come over the two-way radios as the Americans embark on their frenzied exit ("Save me! Tell me where to go! I'm Mr. Hai, the cook"). Snepp thought, wrongly, that he could touch a nerve of guilt over our treatment of those Vietnamese who depended on us, without piercing anything political.

Unfortunately for Snepp, that was impossible; after all, the whole question of our commitment to the South Vietnamese was at the very center of the Vietnam debate. How could a book inspiring guilt about our treatment of Vietnamese allies possibly be apolitical? And yet the question remained—what kind of politics? Obviously it wasn't the conventional left analysis. The anti-war critique had never exactly rested on a commitment to South Vietnamese friends. And it wasn't the hawk perspective either. Snepp, who says he joined the CIA after graduate school at Columbia in part to escape the draft, did not view U.S. troop escalation as an answer. But if Snepp is just a mushy moderate and his book reflects a moderate analysis of the war, then the intensity of the reaction from the CIA and the rest of the government is a little puzzling.

It's puzzling, that is, until you realize that Snepp's view of the war, unlike the view of radical apostates, is essentially his former employer's. Contrary to reputation, the CIA never took an especially hawkish position on Vietnam; but to the extent that the Agency had an institutional opinion (beyond a faith in counter-insurgency), it believed the U.S. had a commitment to the Vietnamese people with whom Agency personnel had worked for as long as 25 years. So when Snepp proved in his book that the CIA was in part responsible for abandoning these people—that it never cared as much as it claimed—the sense of hurt was palpable. For all the carnage Agee's revelations left in their wake, there was something about Snepp's book that must have cut the Agency especially close to the bone. Here was someone saying not only that a mission had been botched, but that the CIA, through its actions in Saigon's final hours, had *broken faith* with the Vietnamese, had been guilty of exactly what liberals in Congress were accused of when they voted to cut off funding for the war. In that sense, Snepp was charging those responsible for our chaotic evacuation with more than bad judgment and other easily brushed off offenses. The implicit charge in *Decent Interval* was monstrous hypocrisy—maybe the biggest in a whole generation of Vietnam hypocrisies, though Snepp would never put it that way.

So there is a special irony to the Supreme Court order that Snepp "disgorge the benefits of his faithlessness." Snepp had charged the Agency with breaking faith with loyal South Vietnamese and failing to protect important intelligence sources. Now the Court was ruling that it was Snepp who had broken faith by not allowing the CIA to review his manuscript, even though it contained nothing that could possibly be considered classified. Perhaps the Court might have settled the matter by comparing the *effects* of the two forms of "faithlessness." The effect of the CIA's breach was to prevent thousands of South Vietnamese friends from escaping and to blow the covers of hundreds of agents operating throughout Vietnamese

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society. The effect of Snepp's breach was to tell the truth about these events and to jeopardize no one.

Unfortunately, the issue was never addressed so squarely. If the decision is any indication, the Court majority took Jimmy Carter's book-reading course: it never cracked *Decent Interval.*

Putting Out a Contract

Among those who might bother to discuss it, the conventional wisdom about Frank Snepp is that he may have written a good book and he may have been dealt with too harshly, but he certainly should have known he was guilty of some form of breach of contract. This is unfair to Snepp for several reasons. On entering the Agency in 1968, Snepp did indeed sign a wide-ranging "secrecy agreement" that required him to turn over anything he wrote to the Agency for review before publication. But so had many other ex-agents who never submitted their CIA books—men like Tom Braden and William F. Buckley. Former CIA official Miles Copeland actually bragged in the foreword of his 1974 book that he never cleared his manuscript. For all these men, the reason they didn't feel obliged to submit their manuscripts before publication was the same: they were revealing nothing classified. Buckley even went so far as to assure Snepp that his former boss in the CIA, E. Howard Hunt—no doubt an impeccable witness—would back up Buckley's claim that he disclosed no secrets.

The point was that ascertaining what was classified and what wasn't always had been up to the CIA employee, *not* the Agency. Every document and piece of information has a designation, and agents and analysts are trained to tell which can be revealed and which cannot. That means officials must be trusted to give press briefings without revealing classified information and to be discreet at embassy cocktail parties. Until Victor Marchetti came along, it was up to the former agent to use similar discretion when writing a book.

In 1972 a U.S. Appeals Court judge upheld the CIA's censorship of Marchetti and John Marks's book, *The CIA and the Cult of Intelligence,* but he ruled that the determining factor in prior restraint cases was whether or not secrets were involved. In Snepp's case, they weren't, and when he left the Agency in 1976 he willingly signed *another* secrecy document, a "termination secrecy agreement," that said simply that he could not reveal any classified information.

Snepp believes this second agreement, based on the Marchetti decision, legally supersedes the first, but even if it doesn't, he contends the original secrecy oath he signed on entering the Agency had been voided by the CIA's behavior. That original agreement contained a clause saying that complaints by employees would be investigated. Snepp's hadn't been, and he thought that freed him.

So Snepp had three legs to stand on when he decided not to submit his manuscript: an awareness that only those writers revealing secrets had ever been bothered for not submitting manuscripts for clearance, a second contract that might legally supersede the first, and the knowledge that the Agency had not responded to his complaints. The leg he didn't have to stand on was a book that was positive about the Agency. In fact, that was why he didn't submit the manuscript in the first place: he knew his book would be emasculated, much as Marchetti and Marks's was when the CIA finally got hold of it. Final proof that Snepp was right in his fears that even innocuous non-secrets would have been excised can be found in the case of former CIA Director William Colby, whose banal book, *Honorable Men,* was stripped by the Agency review board of common-knowledge details. (See "Le Couvert Blown: William Colby en Francais," by Joseph Nocera, *The Washington Monthly,* November 1980.)

The effect of Snepp's breach was to tell the truth about these events and to jeopardize no one.

When the government initiated its case against Snepp, Stansfield Turner claimed that Snepp told him in a May 1977 meeting that he would in fact submit his manuscript and thus he misled the Agency. Long afterward, this charge would do much to besmirch Snepp's reputation and weaken his case. Even someone like Archibald Cox felt obliged to throw in a caveat when criticizing the Snepp Supreme Court decision in the *Harvard Law Review.* After all, critics reasoned, this guy is no paragon of virtue; he lied to Turner.

As it happened, Snepp didn't exactly lie to Turner. The CIA director even admitted under oath that what Snepp had said to him was simply

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that he would "abide by his secrecy agreement." Snepp claims he meant the *second* agreement—the one that simply prevented him from revealing secrets. If that was so, he should have been more explicit. But for all Turner's charges that Snepp deceived him, Turner must have had a good idea that Snepp was not going to be cooperative. Lawyers for the Agency immediately drafted another binding agreement for Snepp to sign. He refused, and CIA documents dated three days after the meeting show that the Agency already knew that he probably would not submit his manuscript.

Indeed, the CIA had long since been busy trying to sabotage the book, as court documents show. Two of Snepp's closest colleagues from Saigon, Bill and Pat Johnson, were assigned by the Agency to probe their friend for details about his book and, Snepp thinks, to feed him classified information for inclusion. If he had taken the bait, of course, the CIA's case would have been cinched. Simultaneously, one of Snepp's ex-girlfriends, an office worker at CIA headquarters named Daphne Miller, began to spill everything she knew about him. Snepp had dumped her abruptly, and she may have been ripe for the role of informer for other reasons. Snepp believes that Agency officials confronted her with evidence that she had appeared at a party where marijuana was smoked, which is grounds for dismissal. In any event, Miller told the Agency what Snepp most feared revealing: the name of his publisher, Random House. The reason for Snepp's fear was that in the Marchetti case the CIA had been able to seize the galleys from the publisher and exercise prior restraint. Snepp had taken elaborate precautions to avoid the same thing—he'd met his editor in the park or at safe houses.

But here Snepp had a stroke of luck. The CIA apparently refused to believe Miller; either that or it felt the book couldn't be stopped. So the presses rolled in late 1977 and the truth about Saigon's last gasps went on the public record. But for Snepp, the feeling that he was getting his message across would be short-lived.

The Wrong Object Lesson

As he prepared to testify before a closed-door session of the Senate Intelligence Committee in December 1977, Snepp was still idealistic enough—some would say naive enough—to believe the senators would be interested in his views on what went sour with the CIA in Vietnam's final days. He was wrong, of course. The committee members didn't care about the messages in *Decent Interval,* and they didn't believe Snepp had anything to contribute to improving the Agency. In fact, the tone of the hearing was quite nasty: lots of questions about why he "squealed" and intimations from some conservative senators that he was a traitor.

Meanwhile, there were other pressures building toward a prosecution. In October, CIA Director Turner unleashed his "Halloween Massacre"—the firing of 820 veteran CIA officers he believed had outlived their usefulness. The housecleaning was long overdue, but Turner handled it clumsily and tempers flared. Taking Snepp to court would be a good way to discourage any of the other hundreds of disgruntled ex-employees from publishing books without clearance. This argument gained further credibility in the spring of 1978 when John Stockwell went public with his tale of failed covert operations in Africa. Stockwell wasn't an Agee, but his book blew secrets. To the Agency, it looked as if the floodgates were about to open.

The government decided to make a case against Snepp precisely because he *had not* revealed secrets.

But rather than push for legislation that would make it a crime for ex-agents to reveal secrets—the most sensible approach—the government decided to make a case against Snepp precisely because he *had not* revealed secrets. *If Snepp could be punished for writing a book that disclosed nothing classified, then no one else writing anything critical of the CIA would dare defy the review process.* Attorney General Griffin Bell, a former judge trying to live down a recently gained reputation for backing off other controversial prosecutions, was more than happy to oblige.

The only problem was finding something to charge Snepp with. Breach of contract alone wouldn't do it; winning damages would require that Snepp had done damage—hurt the CIA—and the government must have known it couldn't prove that. There was also the problem of selective enforcement. Why hadn't other ex-employees like Miles Copeland and Tom Braden been prosecuted for breach of contract? All of this meant that the Justice Department lawyers

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would have to find another way to argue the case. After weeks of brainstorming, they crafted a novel argument from an obscure doctrine in the field of equity law—the "constructive trust." Snepp would be charged with violating the same thing as business employees who profit from selling trade secrets to competitors. Eager to sculpt the law in ways that would please the attorney general, government attorneys argued that Snepp had an implicit obligation under the "fiduciary principle" to keep everything he learned on the job—even unclassified information—to himself.

But in the courtroom of U.S. District Court Judge Oren Lewis, a crotchety Virginia conservative, the government didn't even need that argument. Old Judge Lewis so thoroughly confused Snepp with Agee and Stockwell (the latter had just gone public with his Angola story and told *60 Minutes* the country would be better off without the CIA) he lectured Snepp that "nobody has got a right to disclose classified information." Lewis denied "Mr. Shepp" a trial by jury and, according to the court transcript, informed Snepp's American Civil Liberties Union lawyers that "it didn't make any difference" what evidence they had, it wouldn't be admitted. Then the judge pointed to the highway leading to Richmond, where the appeals court is located.

The justices' anger over *The Brethren* helped determine the scope of the Snepp decision.

The Brethren's Revenge

"My father's a judge," Snepp later said in explaining why he refused the government's offer of a settlement just before his unsuccessful appeal in Richmond, "and I was brought up to believe in the eventual triumph of justice." But Snepp's upbringing in an idealistic North Carolina family never prepared him for the Supreme Court. The 6-3 decision against him may have been the most absurd and intellectually shoddy performance in the 12 years of the Burger Court. The Court decided the case without briefs or oral argument; Snepp's lawyers were not allowed to introduce evidence of his efforts to convince the CIA to investigate its role in the evacuation; and the unsigned majority opinion found that Snepp had "irreparably harmed the United States government."

That last assertion is proof enough that the author(s) of the decision had neither read *Decent Interval* nor bothered to study CIA issues, but anyone still harboring doubts on that score only need look at a footnote in the opinion used to lambast Snepp: "It is impossible for a government wisely to make critical decisions about foreign policy and national defense without the benefit of dependable foreign intelligence. See generally T. Powers, *The Man Who Kept the Secrets.*"

That was precisely Snepp's point—those "critical decisions" could not be made without changing the way the CIA performed. It was ludicrous to use his critique as an example of something *weakening* intelligence. Also ludicrous was the characterization of Thomas Powers's book on Richard Helms as a model of proper discretion. *The Man Who Kept the Secrets* was laced with exactly the kind of classified information Snepp's book lacked, and the blown secrets were obtained by Powers in interviews with the same members of the CIA's old-boy network who were now screaming for Snepp's scalp.

In his dissent, John Paul Stevens had little trouble picking apart the breach of contract argument. The law, dating from 1711, says that such contracts are dependent on the "rule of reason"—that enforcement requires that the justification for charging that the contract had been breached must be "reasonable" and in "the public interest." The government's certainly wasn't. It had no reason for suing other than to prevent further embarrassment.

But how could one argue precedent against the "constructive trust"? Here, the Court majority was really writing new law, ruling that Snepp's violation of "trust" did not "depend on whether his book actually contained classified information." This was the truly chilling part of the opinion—the part that stomped all over the First Amendment in a way no other decision had in a long, long time. The Court was saying that *any* government employee with "access to confidential sources," even if he hadn't signed a secrecy agreement, could be in a "trust relationship." This means, literally, that someone working in the departments of Agriculture or Commerce who writes a book explaining what's wrong with the agency could have his royalties seized and could be required to trot anything he

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wrote on the subject past government authorities. The decision was so broad that if the Agriculture employee only told an author or reporter something he had learned in confidence, he could be punished.

It stands to reason that if Frank Snepp and any other bureaucrat could be punished, then so could someone else in a similar position of trust, like, say, a law clerk. That's right: the Snepp decision came out not long after the justices had finished reading pre-publication excerpts from a hot new book, *The Brethren,* by Bob Woodward and Scott Armstrong. *The Brethren's* revealing look inside the Supreme Court was possible only through interviews with law clerks who had "access to confidential sources" and were involved in "trust relationships." It was generally believed around the Supreme Court that the justices' anger over *The Brethren* had helped determine the scope of the Snepp decision. The message to law clerks and any other potential leakers was clear: Next time, you might not be so lucky. Next time, you might end up like Frank Snepp.

Hero-Shunning

In personal terms, Snepp, was devastated by the decision. He had, of course, spent money in the more than three years since leaving the Agency, and now he owed the government his $22,000 advance from Random House plus about $130,000 in royalties. Because he'd had no other source of income for that period, he needed a loan to pay back the government. The advance for the book he's now writing about his case went for the same purpose. He lives on what he can make from occasionally selling personal possessions and on fees from speaking engagements at a few law schools.

Because those speeches relate to his case, and therefore could relate to the Agency, they too have to be cleared by the CIA. Snepp's lawyers have advised him to clear even the topics of *extemporaneous* speeches. And the screenplay he's writing about his case (in order to raise money) binds him in a particularly strange Catch-22. He needs advice from professional screen writers about his script, but he can't show it to them without clearance. Meanwhile, the CIA won't accept rough drafts. So he has to finish the script himself and submit it to the Publications Review Board; then, if by some miracle the film is made, he has to keep his fingers crossed that the Agency doesn't demand to review the rushes and force reshooting of scenes. Snepp is very careful about this because he knows that violation of the order to submit his utterances and writings for clearance could mean *criminal* penalties.

Snepp will be living under this form of censorship for the rest of his life, but he is haunted in other ways, too. Instead of nightmares about Vietnam, he has what he calls "soundmares," where the voices of the doomed Vietnamese come over the radios once again. Worse, most of the ten or so Vietnamese he helped escape from South Vietnam and resettle in the United States won't talk to Snepp any more. Not understanding the American legal system, they fear his problems may become their own.

The Vietnamese refugees are not the only ones who feel uncomfortable getting involved. At a reception not long after one of the court decisions, Snepp approached Roger Baldwin, the distinguished founder of the ACLU, to thank him for all the help the ACLU provided in the preparation of his case. "We did more for you than we probably should have," Baldwin replied. Baldwin wasn't alone; others have shied away too, and not just because Snepp's name sounds straight from Dickens. Part of it is Snepp's politics; his analysis of the war and the CIA is not the same as that of many who might otherwise be admirers. And part of it is his attitude. There are those who helped Snepp and wanted to make him a cause celebre—Anthony Lewis, John Hersey, and Robert Bernstein of Random House, to name a few—but Snepp never has been quite willing to build the necessary bridges to others who could aid him. He can be aloof, and, well, he feels kind of funny making friends with people on the left with whom he doesn't have much in common. A fund-raiser planned for him last year fell through—not enough interest to support it.

Snepp's problem is that he doesn't fit into a niche that will allow him to find the recognition he deserves. Because his book and his case are not easily pigeonholed as liberal or conservative, the messages they carry have not been as widely disseminated as they might be. That's too bad, for the issues raised by *Decent Interval* and by U.S. v. *Snepp* should be issues everyone can agree on. Maybe we'll never see eye to eye on Vietnam or the proper role of the CIA, but all of us should think hard about the kind of government that could be responsible for what Snepp describes—and all of us should shudder a little when we hear the name of an American persecuted for telling responsible, important truths. □

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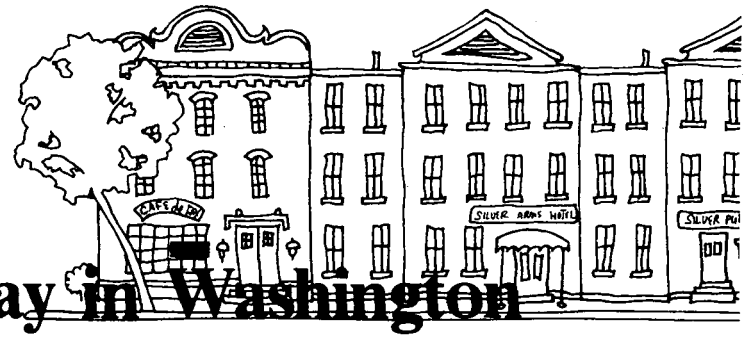

Where to Stay in Washington

Scott and Thomas Circles

The hotels in this area—Massachusetts Avenue between 14th and 16th Streets, N. W.—are only a few blocks from Dupont Circle and the K Street and Connecticut Avenue business areas, yet just far enough away to make the rates more reasonable than those downtown. You should also know, however, that while the neighborhood is changing for the better, much of it is still borderline. Before taking your evening stroll, get braced for a solicitation or two and leave your big bills behind.

The hotels are primarily of the chain variety. They're clean, modern, and low on perks, although most have pools, and, happily, are not equipped for big meetings and conventions. Don't bank on the restaurants, however. Most are overpriced and, well, tacky. In most cases, except for breakfast, you can do better price- and quality-wise downtown or on Connecticut Avenue.

Executive House, 1515 Rhode Island Avenue, N.W., (202) 232-7000, (800) 424-2461. This is one of the least expensive hotels and is even more so if you can take advantage of the government, corporate, or association discounts. Singles, $48-$54; doubles, $58-$64. Parking is free, as are children under 16; a cot in the room costs $10. On weekends rooms are only $22 a night per person, double occupancy, and this includes a bottle of wine, discounts on Tourmobile tickets, and 15 percent off on a lunch or dinner in the hotel restaurant. The decor matches the prices, but to make up for it there's an outdoor pool and live entertainment in the lounge nightly.

General Scott Inn, 1464 Rhode Island Avenue, N.W., (202) 333-6700. Certainly this small, all-suite hotel is the coziest place in the area. You'll find a fully equipped kitchen, separate dressing area, and tasteful modern decor in all the rooms. Singles, $49-$65; doubles, $59-$78. Parking is $4.25 a night; children under 18 are free. The 1776 Weekend is a bargain: one to three nights (Friday, Saturday, or Sunday) at $17.76 per person per night, double occupancy. One drawback is that there's no restaurant, but a continental breakfast for $2.50 is served every morning in a meeting room, and the bellhop is available for grocery shopping.

Gramercy Inn, 1616 Rhode Island Avenue, N.W., (202) 347-9550, (800) 424-5152. One and a half blocks from Connecticut Avenue, this hotel is the closest to the business area, and the prices reflect it. With four meeting rooms, the hotel encourages small business gatherings. Singles, $58-$65; doubles, $68-$75. There are several types of suites (including some with canopied beds and unequipped kitchens): one-bedroom, $100-$120; two-bedroom, $150-$175. Children under 12 are free; parking is $2.50 a night. The weekend Homecoming package includes a bottle of wine, parking, and discounts on the Tourmobile and the Potomac sightseeing boat tickets, all for $52 a night, double occupancy. There's also an outdoor pool and a restaurant, the **Devil's Fork,** which is worth trying for its Chinese and Polynesian dishes and its good luncheon buffet for only $5.75.

Holiday Inn Central, 1501 Rhode Island Avenue, N.W., (202) 483-2000, (800) 483-2000. Some badly needed renovation will be going on here at least through October, so unless you're interested in bumping shoulders with the workmen, you might do better elsewhere for the next few months. Singles, $49-$56; doubles, $51-$58; kings, $56-$63; suites, $58-$65. Children under 12 are free; parking is $3 a night. The pool here is on the roof, and there are five meeting rooms.

Holiday Inn Downtown, 1615 Rhode Island Avenue, N.W., (202) 296-2100, (800) 238-5400. No meeting facilities and room service that the Inn itself describes as "inadequate" sums up what you won't get at this Holiday Inn. What you do get is free parking, no charge for children under 18, and, if you like, rooms with king-sized beds or sitting areas and sleep sofas. And yes, there's a pool. Singles, $52-$60; doubles, $59-$67; suites, $67-$74.

Holiday Inn Thomas Circle, 1155 14th Street, N.W., (202) 737-1200, (800) 238-8000. This is the most attractive of the three Holiday Inns (although its

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WHO'S WHO in the Administration

We reported in our May issue that two little-known White House aides named **David Gergen** and **Richard Darman** were influential far beyond what the press said. Now they have emerged into full public view. Gergen is the top spokesman at the White House and Darman controls the flow of paperwork that goes into the Oval Office. . . .

Who are **David Stockman**'s most influential aides? The best bets are **Dave Gerson** and **Don Moran,** both of whom worked for Stockman when he was a congressman. . . . Whatever Stockman's weaknesses may be, they do not include a faint heart. It is widely suspected among Washington insiders that the Triumvirate let him take the lead on the administration's budget proposals so that they would have a fall guy if anything went wrong. But instead of standing there shivering, as so many other bureaucrats have done in such an exposed position, Stockman seized the chance to turn his theories into reality. . . .

Environmental Protection Agency Administrator **Anne Gorsuch** may not be so fond of trees, but she sure likes paper. Her assistant administrator for air, noise and radiation, **Kathleen Bennett,** comes from a paper-making company, and **John E. Daniels,** Gorsuch's chief of staff, has been director of legislative affairs for the American Paper Institute. Daniels has another distinction: he once worked as a lawyer representing Johns-Manville, the asbestos company the EPA has spent so much time fighting. . . .

You may have thought that when the White House withdrew the controversial nomination of **Ernest W. Lefever** to be assistant secretary of state for human rights, that would be the end of it. Well, there's more than one way to sell baby formula. Lefever has recently surfaced inside the State Department as a consultant to Alexander Haig.

In

WHITE HOUSE

Science Adviser to the President—**George A. Keyworth,** a nuclear physicist, is a former director of the physics division of the Los Alamos National Scientific Lab.

COMMERCE

Director, Census Bureau—**Bruce Chapman** has been a consultant at the Cascade Institute for Public Policy.

DEFENSE

Assistant Secretary for Shipbuilding and Logistics—**George Sawyer** has been president of John J. McMullen Associates, Inc., and before that was a navy submarine engineer.

Assistant Secretary for International Security Policy—**Richard Perle** was chief foreign policy and defense adviser to Senator Henry Jackson.

ENERGY

Undersecretary—**Guy W. Fiske** was executive vice-president and a director of General Dynamics Corporation in St. Louis.

Assistant Secretary for Health Affairs—**Robert N. Smith** is a Toledo, Ohio, anesthesiologist.

Assistant Secretary for Environmental Protection, Safety and Emergency Preparedness—**William Addison Vaugham** was director of energy management for General Motors Corporation.

Assistant Secretary for International Affairs—**Henry E. Thomas IV** has been director of the EPA's air, noise and radiation standards and regulation division.

INTERIOR

Assistant Secretary for Policy, Budget and Administration—**W. Robinson West** has been a first vice-president of Blythe, Eastman, Dillon & Co., investment brokers, and before that served as deputy assistant defense secretary for international economic affairs in the Ford administration.

Assistant Secretary for Territorial and International Affairs—**Pedro A. Sanjuan** was director of the Hemispheric Center at the American Enterprise Institute.

Director, Bureau of Mines—**Robert C. Horton** has been director of the geology division of Bendix Field Engineering Corporation.

Director of the Geological Survey—**Dallas L. Peck** has been an official of the Geological Survey since 1951.

JUSTICE

Commissioner, Immigration and Naturalization Service—**Norman Braman,** son of Eastern European immigrants, headed Braman Cadillac Leasing, a Miami Beach auto dealership.

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LABOR

Assistant Secretary for Mine Safety and Health—**Ford B. Ford** has been vice-president of the California Institute for Industrial and Governmental Relations.

STATE

Ambassador at Large—**Vernon A. Walters,** a former deputy director of the Central Intelligence Agency, has been a senior adviser to Secretary of State Haig.

Ambassador to Belgium—**Charles H. Price II** has been chairman of the board of the American Bank and Trust Company of Kansas City, Missouri.

Ambassador to Canada—**Paul H. Robinson, Jr.,** was president of Robinson, Inc., a Chicago firm that provides brokerage and administrative services for banks and professional institutions.

Ambassador to Denmark—**John L. Loeb, Jr.,** has been a New York investment banker with Loeb, Rhoades & Co.

Ambassador to Finland—**Keith F. Nyborg** was president and general manager of Finlandia Ranch.

Ambassador to Greece—**Monteagle Stearns** was ambassador to the Ivory Coast from 1976 to 1979.

Ambassador to Guatemala—**Frederick Chapin** has been deputy assistant secretary of defense for inter-American affairs.

Ambassador to Jordan—**Richard Noyes Viets** has been ambassador to Tanzania since 1979.

Ambassador to Liberia—**William Lacy Swing** has been ambassador to the People's Republic of the Congo since 1979.

Ambassador to Mali—**Parker W. Borg** is a career foreign service officer.

Ambassador to the Netherlands—**William J. Dyess** was acting assistant secretary of state for public affairs.

Ambassador to New Zealand and Western Samoa—**H. Monroe Brown** was president and chief executive officer of the Institute for Contemporary Studies in San Francisco.

Ambassador to South Korea—**Richard Walker** was professor of international relations at the University of South Carolina.

Ambassador to Upper Volta—**Julius Waring Walker, Jr.,** is a career foreign service officer.

Ambassador to Yemen Arab Republic—**David Eugene Zweifel** has been deputy chief of mission at the U.S. embassy in Amman, Jordan.

Ambassador to Yugoslavia—**David Anderson** was assistant chief of the U.S. mission to Berlin.

AGENCIES AND COMMISSIONS

Central Intelligence Agency
Deputy Director for Operations—**John Henry Stein** is a career CIA officer.

Consumer Product Safety Commission
Chairman—**Nancy H. Steorts** has been an aide to Virginia Knauer, special assistant to the president for consumer affairs.

Council on Environmental Quality
Member—**James A. McAvoy** was director of the Ohio Environmental Protection Agency.

Environmental Protection Agency
Assistant Administrator for Air, Noise and Radiation—**Kathleen M. Bennett** was federal affairs representative of Crown Zellerbach Corporation, a paper-making firm.

Assistant Administrator for Toxic Substances—**John A. Todhunter** has been a biologist at Catholic University.

General Counsel—**Robert M. Perry** has been an attorney for Exxon Corporation since 1969.

Inspector General—**Matthew Novick** has been with the Territorial and International Affairs Technical Assistance Office in the Department of the Interior.

Equal Employment Opportunity Commission
Chairman—**William Bell** has been president of Bold Concepts, Inc., a Detroit personnel firm specializing in the placement of women and minorities.

Federal Election Commission
Member—**Lee Ann Elliot** is a former associate director of AMPAC, the American Medical Association's political action committee.

Federal Energy Regulatory Commission
General Counsel—**Charles A. Moore** was a partner in the Houston law firm of Reynolds, Allen, Cook, Pennill & Hooper.

Federal Reserve Board
General Counsel—**Michael Bradfield** was with the Washington law firm of Cole, Corette & Bradfield.

Federal Trade Commission
Chairman—**James C. Miller III** has been the administrator for information and regulatory affairs at the Office of Management and Budget.

Foreign Claims Settlement Commission
Chairman—**J. Raymond Bell** also held this post under Presidents Nixon and Ford.

General Accounting Office
Comptroller General—**Charles A. Bowsher** was a managing general partner of Arthur Andersen and Company.

Interstate Commerce Commission
Member—**Frederic Andre** was executive director of the Medical Liability Commission in Chicago.

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Member—**Malcolm M. B. Sterett** was vice-president and general counsel of the U.S. Railway Association and formerly Republican staff director and counsel of the Senate commerce committee.

National Labor Relations Board
Chairman—**John Van de Water** has been head of Van de Water Associates, Inc., management consultants.

National Transportation Safety Board
Member—**James E. Burnett, Jr.,** was a special associate justice of the Arkansas supreme court.

Nuclear Regulatory Commission
Chairman—**Nunzio J. Paladino** was dean of the college of engineering at Pennsylvania State University.

Office of Personnel Management
Deputy Director—**Loretta Cornelius** has been vice-president for administration of PRC Data Services Company in McLean, Virginia.

Overseas Private Investment Corporation
Director—**Donald Eugene Santarelli** has been a director of the Corporation for Public Broadcasting.

Member, Board of Directors—**Paul J. Manafort, Jr.,** a Washington lawyer, was deputy political coordinator for the Republican National Committee in 1980.

Securities and Exchange Commission
Director, Enforcement Division—**John M. Fedders** has been a partner in the law firm of Arnold & Porter.

Member—**Bevis Longstreth** was a lawyer with the New York firm of Debevoise, Plimpton, Lyons & Gates.

Selective Service System
Director—**Maj. Gen. Thomas K. Turnage** has been special assistant for training and readiness in the Defense Department.

U.S. International Trade Commission
Member—**Alfred Eckes, Jr.,** has been executive director of the House Republican Conference.

Member—**Eugene Frank** was a Pittsburgh investment banker, economist, and financial consultant.

Out

STATE
Ambassador to Saudi Arabia—**Robert G. Neumann** was fired by Secretary of State Alexander Haig after less than two months on the job.

CENTRAL INTELLIGENCE AGENCY
Deputy Director for Operations—**Max Hugel** has resigned after accusations of illegal stock manipulations.

DRUG ENFORCEMENT ADMINISTRATION
Administrator—**Peter B. Bensinger** has resigned after the administration announced plans to assign drug enforcement responsibilities to the FBI.

FEDERAL RESERVE BOARD
General Counsel—**Neal Peterson** will return to private law practice.

NATIONAL INSTITUTES OF HEALTH
Director—**Donald S. Frederickson** has resigned.

VETERANS ADMINISTRATION
Deputy Administrator—**Allen B. Clark,** a disabled Vietnam veteran, has resigned.

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continued from page 51
location—near the 14th Street red-light district—may be the least desirable). Singles, $54-$63; doubles, $64-$73; suites (all with wet bars), $128-$250. Parking and children under 12 free. There's a rooftop pool, five meeting rooms, and laundry facilities, and some rooms have steam baths. **The General's Tent** is a rarity: pleasant atmosphere and reasonable prices for all three meals.

International Hotel, 10 Thomas Circle, N.W., (202) 842-1300, (800) 842-1300. The International is about as close as you can come to a luxury hotel in this area. The rooms are small, but the decor is a step up from the others', and concierge, secretarial, valet, and translating services are available. The pool is year-round, covered by a dome that is opened in the summer. Singles, $54-$65; doubles, $70-$81; suites (with wet bars), $150-$225. No charge for children under 14; parking is free. Friday through Sunday nights a double is $54. For $74 per person, double occupancy, you get the Ambassador Weekend: two nights, one dinner, dancing, and a champagne breakfast.

Quality Inn Downtown, 1315 16th Street, N.W., (202) 232-8000, (800) 228-5151. Formerly an apartment building, the Quality Inn has spacious rooms with fully equipped kitchens, and most have separate dining and dressing areas. Singles, $48-$76; doubles, $58-$86; suites, $86 for up to three people. Children free under 16; parking, $3 a night. On weekends, up to four people can share a room for only $38 a night. There's no pool, but guests may use the one at the nearby Ramada Inn. There are five small meeting rooms and a reasonably priced restaurant.

Ramada Inn Central, 1430 Rhode Island Avenue, N.W., (202) 462-7777, (800) 228-2828. Also a former apartment building, the Ramada has fully equipped kitchens in every room. There are also telephones in the baths, oversized beds, and valet service. For all this, the rooms are a bargain: singles, $48-$68; doubles, $56-$74; suites, $98-$120. No charge for children under 18; parking is $3 a night. The Super Saver Weekend costs $38 a night for up to four people in a room.

—*Donna Fenn*

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Memo of the Month

OFFICE OF THE SECRETARY OF THE TREASURY
WASHINGTON, D.C. 20220

April 8, 1981

MEMORANDUM FOR UNDER SECRETARIES
ASSISTANT SECRETARIES

Subject: Briefing Books for the Secretary

All briefing books prepared for Secretary Regan should be assembled in soft/flexible covered binders. The Secretary prefers not to have hard cover binders sent to him.

If for a particular meeting books are required for several individuals, only the Secretary's binder need be soft cover. Other meeting participants may use hard covered binders.

Steve

Steven L. Skancke
Acting Executive Secretary

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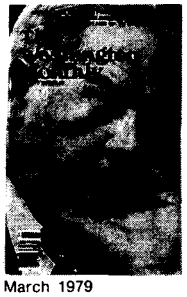
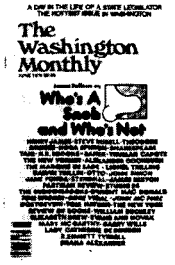
SPECIAL OFFER! DEEP BACKGROUND

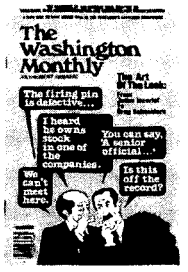
BACK ISSUES OF THE WASHINGTON MONTHLY



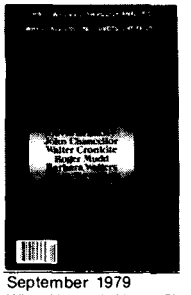
March 1979
Saving the Schools from the Teachers Unions
The Dark Side of Deregulation
Amtrak: The Wreck We Have to Fix
Why We Can't Stand Up to OPEC



June 1979
Who's a Snob and Who's Not
A Day in the Life of a State Legislator
Sunset Laws: Why They Aren't Working
The Hottest Issue in Washington



July/August 1979
The Art of the Leak
The Decline and Fall of the American Way of Regulation
How the Pentagon Bought the Edsel of Computers

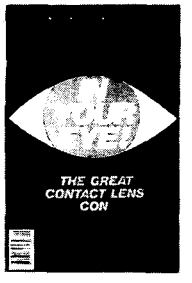


September 1979
What Network News Should Be
The Velvet Cage: The Life of a GS-1
The Fantasies of Senators' Wives
What's Wrong with Policy Analysis

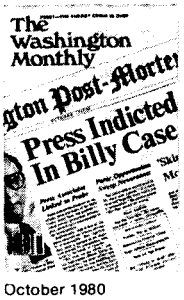
March 1980
Sheepskins Are for Sheep
Taking the Babbitt Test
Teaching the Colleges a Lesson
Getting Off the Money Standard

June 1980
Moscow's *Real* Secret Weapon
How to Bribe Judges, Fix Prices, and Delay the Inevitable
The Cash Connection: How to Make the Mob Miserable

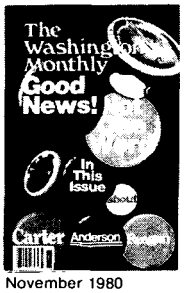
July/August 1980
Who Runs Reagan, Anderson, Kennedy and Carter
Why the New York Times Can't Cover Washington
Strike It Rich for Socialism!



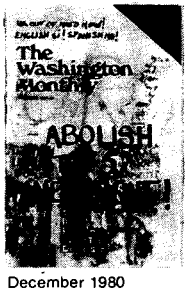
September 1980
Pie-Slicers vs. Pie-Enlargers
The Great Contact Lens Con
The Joy of SES
The Most Powerful Nobody in Washington



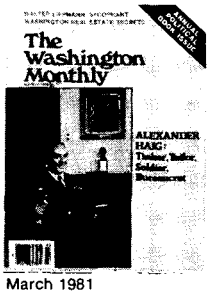
October 1980
Psst—The Energy Crisis Is Over
Reagan's Welfare Fraud
Billygate and the Press
I Didn't Lose, I Just Ran Out of Time



November 1980
A Plague of Judges
Earn Big Money in Your Spare Time—Publish a Newsletter
Ten Ironies That Made Our Nation What It Is Today
Life at a Southern Women's College



December 1980
Abolish the Fifth Amendment
Scenes from a Political Marriage
The Case Against NATO
English, Si—Spanish, No



March 1981
The Apprenticeship of Alexander Haig
They Were Wrong About *The Brethren*
Walter Lippmann and the American Sycophancy

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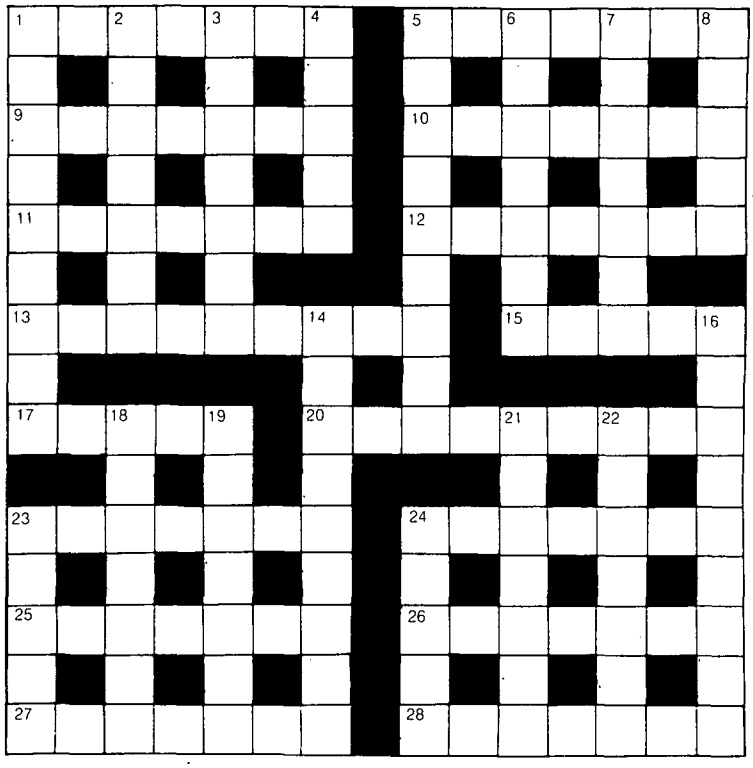
The Political Puzzle

by John Barclay

The numbers indicate the number of letters and words, e.g., (2,3) means a two-letter word followed by a three-letter word. Groups of letters, e.g., USA, are treated as one word.



ACROSS

1. Only diamonds make right . . . (7)
5. . . . a title for her love or without a little state. (7)
9. Real fun planned for ceremony. (7)
10. Strange tea sets for big places. (7)
11. See germ in a way as it develops. (7)
12. Calmer moonshiner? (7)
13. Nome sight is bizarre object. (9)
15. Finish a soft nude composition. (3,2)
17. Sister in conjunction for shut-out. (2-3)
20. Notice: Kennedy remade discovery! (9)
23. Unfairly attacks mad, mad fees. (7)
24. Irregular and naive in touchdown taken back. (7)
25. Crazy CAB rule is not fatal. (7)
26. Motley troop, in part. (7)
27. With directions in the beginning, he leaves for 5 Across. (7)
28. Court in which 27 Across dishes up remedial strokes. (7)

DOWN

1. First for Davis a nickel. (9)
2. Israeli statesman mixed up in total, brings light. (7)
3. His grit displayed, he gets answer. (2,5)
4. Directions to put sick back in New York island. (5)
5. Management prone to omission? (9)
6. Not much of a chance for the visiting team? (7)
7. Let dent upset the angry. (7)
8. One errs strangely as one gets up. (5)
14. Minority view made inn desist awkwardly. (2,7)
16. Change $1.10 into British money to show contrition. (9)
18. Judge and pass on with ease. (7)
19. Aim one bin loosely for African country. (7)
21. When cup overflows, conceal your problem. (5,2)
22. Think of aiming East, indirectly. (7)
23. Knocks someone out with cards? (5)
24. Misleads in round-up, especially. (5)

Answers to last month's puzzle:

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Political Booknotes

Public affairs books to be published in September.

America's Competitive Edge: How to Get Our Country Moving Again. *Richard Bolling, John Bowles. McGraw-Hill, $14.95.*

Asking for Trouble: The Autobiography of a Banned Journalist. *Donald Woods. Atheneum, $12.95.*

Baseball Economics and Public Policy. *Jesse W. Markham, Paul V. Teplitz. Lexington, $20.95.*

Blaming Technology: The Retreat from Responsibility. *Samuel C. Florman. St. Martin's, $12.95.*

Blue Smoke and Mirrors: How Reagan Won and Why Carter Lost the Election of 1980. *Jack W. Germond, Jules Witcover. Viking, $14.95.* If political reporting is narrowly defined as the inside dope on horse-race politics, Jack Germond and Jules Witcover are two of the best at it in the country. This will probably prove to be the most useful account of the 1980 horse race—how Reagan stumbled out of the gate, how Carter faded in the stretch, how the handicappers blew it at every turn.

The retelling of familiar events is lively, and there are some good new stories. At the Republican convention, Gerald Ford gave an interview to Walter Cronkite in which he said he might be interested in joining the ticket. Barbara Walters saw the interview and went nuts. Germond and Witcover quote David Hume Kennerly on what Walters did after storming over to the CBS booth just as Ford was emerging. "She literally pleaded with him to come and do another interview with her. She said, 'Mr. President, you've got to come talk to me, you've got to.' Ford said, 'Well, Barbara, I really have to go to this other meeting.' And she said, 'Oh, Mr. President, you've got to do it . . . for old times' sake . . . for Alan's sake.'" "Alan" is Alan Greenspan, chairman of the Council of Economic Advisers in the Ford administration and an old beau of Walters'. Barbara got her little interview. Now you know what it's like covering a convention.

The problem with books like this is that the analysis of particular events is skewed by the election results. The winners look like the Yankees and the losers like the Cubs in everything they do. For instance, the authors spend a lot of time criticizing Carter for the retreat to Camp David in the summer of 1979 that resulted in his famous "malaise" speech. If Carter had won, this probably would have been portrayed as the first step in the masterful reassessment and rejuvenation of his administration.

—*Jonathan Alter*

"A new and insightful addition to the literature on Castro and the Cuban revolution. . . . his well-written narrative, based on Cuban sources and personal experiences, adds new dimensions and dispels many myths concerning Castro's personality and Cuban internal affairs."
—Library Journal

The Taming of Fidel Castro
By Maurice Halperin
At bookstores $18.95
University of California Press
Berkeley
94720

China's Intellectuals: Advise and Dissent. *Merle Goldman. Harvard Univ. Press, $22.*

False Profits: The Decline of Industrial Creativity. *Thomas P. Carney. Notre Dame, $17.95.*

The Iron Triangle: The Politics of Defense Contracting. *Gordon Adams. Council on Economic Priorities, $250, summary, $1.* Do you know the difference between Rockwell International and DARPA, the Pentagon's high-tech design shop? *Is* there a difference? Not to speak of, according to *The Iron Triangle.*

Adams presents ghastly statistical detail of the revolving door between the Defense Department and its contractors. He doesn't speculate much about what effect this has on the deteriorating state of U.S. defense. But conclusions are not hard to draw. For instance, less than three years after General Hamilton Howze chaired the review board that committed the army to a vast helicopter program (see long-winded article elsewhere in this issue), he went to work for Bell Helicopter. There Howze cashed in as his company supplied the thousands of Hueys and Cobras that served us so poorly in Vietnam. Such instances of placing personal profit ahead of national security by our "officers and gentlemen" are not, as this study sadly proves, rare.

—*Gregg Easterbrook*

The Last Ambassador. *Bernard and Marvin Kalb. Little, Brown, $12.95.* A novel by the two NBC diplomatic correspondents about the last months of the Vietnam war.

There's the ambassador, "for whom there is no substitute for honor . . . raging single-handedly against the dying of the light," and the adoring daughter, torn, of course, between her father and her lover, a CIA agent mercifully working that "treacherous world of diplomacy" to shorten the savage war. Add the elegant Oriental mistress and the Machiavellian secretary of state with a German accent, and you have all you need—on the first page—to establish that only the fate of the free world hangs in the balance.

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But the Kalbs are veteran journalists and want to deal with one of America's greatest retreats. They continue the long Washington tradition of using fiction to explain recent events without naming names.

Unfortunately, reading between the fictional lines produces generalities and no revelations. The North Vietnamese caught our intelligence off guard. The president and secretary of state distanced themselves from a losing cause. The Communists didn't want to negotiate a coalition government when victory was imminent. Rumors of an American pullout brought panic, culminating in a riot at the embassy. A lot of South Vietnamese weren't exactly blessed to have Americans come into their lives. And, finally, we won't ever be able to collar a single culprit who "lost" Vietnam.

Read Frank Snepp's *Decent Interval* for the real story, but keep this one in mind if you haven't already been to the beach.

—*Michael Hiestand*

Natural Resources and the State: The Political Economy of Resource Management. *Oran Y. Young. Univ. of California, $16.50.*

Organizing the Executive Branch: The Johnson Presidency. *Emmette S. Redford, Marlan Blissett. Univ. of Chicago, $21.*

Practicing History: Selected Essays. *Barbara W. Tuchman. Knopf, $16.50.*

The Reagan Revolution: A Blueprint for the Next Four Years. *Rowland Evans, Robert Novak. Dutton, $12.50.* A predictably favorable reiteration of Reaganism—the man and the ideology. The authors easily trace Reagan's anticommunism and antigovernment themes from his days in Hollywood to the present but bog down in Reagan's ambivalence over supply-side economics. Which side of the seesaw will stay down, with Stockman and Kemp on one end and what Laffer calls "deep root-canal" economists ("economic austerity must be good for you if it is truly painful") on the other?

Evans and Novak worry that Reagan's rhetoric is pragmatically muted, belying the authentic revolution—a pursuit of "radical goals using nonradical language." They bemoan the dependence of the revolution on Reagan himself and the inconsistencies, such as the Japanese auto import and Soviet grain decisions, that threaten the administration's credibility.

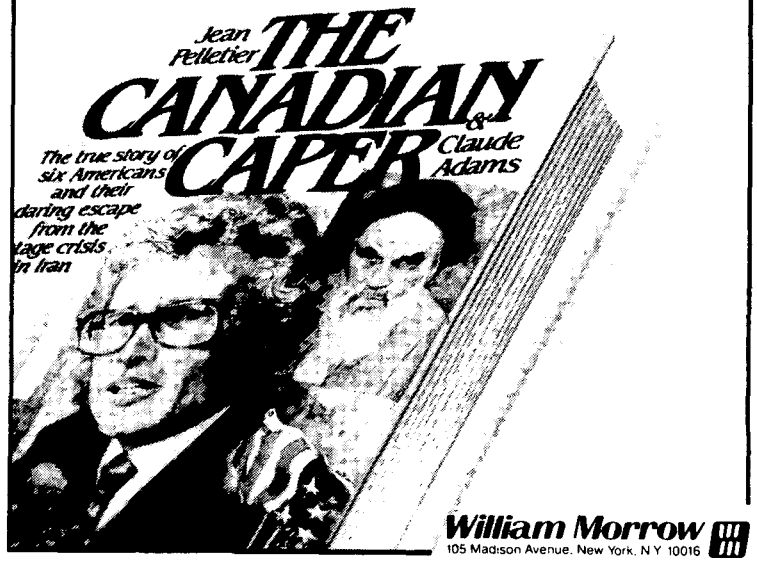
This amalgam of reportage and opinion is too late to be news, too early to be history, too familiar to be an inside look. The authors' LBJ book was better.

—*Pat Martin*

Richard Nixon: The Shaping of His Character. *Fawn M. Brodie. Norton, $18.95.* There is but little embroidery here on the already familiar canvas. Nixon is portrayed as a conscienceless, humorless megalomaniac who survived, in part, by attacking others. A stone thrown at his brother, not by Nixon, may have caused the brother's death; Nixon was a witness and conceivably could have prevented it. Brodie makes this incident a vehicle for his denial of guilt later in life, when he seeks out confrontations with rock-throwing mobs and exults in the publicity. She goes on: Ike is a surrogate father who withholds complete acceptance; Khrushchev looks like Nixon's father. Nixon

An edge-of-the-chair spy thriller —every word of it true...

When the story broke it made front-page headlines around the world—how six American diplomats, helped by Canadian ambassador Ken Taylor, escaped being taken hostage in Teheran. Now the brilliant young journalist who first dug out the facts of the story (and then was forced to sit on it by the U.S. and Canadian governments) tells the full thrilling account, including the guns smuggled in diplomatic pouches, the forged passports, and especially the heroism of Ken Taylor. "Exciting."—*Publishers Weekly.* Illustrated with photos, $12.95.



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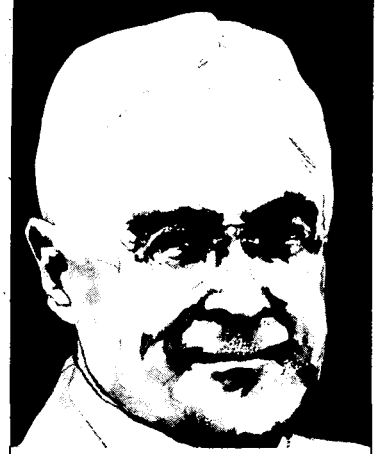
"No one on today's Washington scene resembles Bernard M. Baruch. Very likely no one ever will."*



The Speculator
Bernard M. Baruch in Washington, 1917–1965
by Jordan A. Schwarz

"A fascinating, mammoth work. . . . Schwarz is one of the best of the new breed of contemporary historians. . . . Presents a careful, thorough, warts-and-all picture." — Murray N. Rothbard, *Inquiry*

"Schwarz has dealt successfully with every facet of Baruch's life. . . . Still better, Schwarz has produced a book that inevitably raises central questions about classical liberal tenets and industrial democracy. He pushes his readers to admit the peril, humbug or not, of ignoring these questions." — Lloyd C. Gardner, *Washington Post**

xvii + 679 pp., $27.50

available at bookstores or direct

The University of
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Box 2288 Chapel Hill 27514

cannot show affection, rarely laughs out loud, relaxes only with the uncritical Rebozo, but never with Pat.

The media are ever-present influences, evolving from helpmates to antagonists. When the "special fund" was revealed in 1952, and the sanctimonious candidate was "caught like the lust-abhorring pastor found petting in the choir loft," Brodie says his "Checkers" speech gave him a "sense of the power of television, and of his special talent in using it, and with this came an important liberation from the press."

—P.M.

Righteous Gentile: The Story of Raoul Wallenberg, Missing Hero of the Holocaust. *John Bierman. Viking, $12.95.* By March 1944, Hungary was the only country within the Nazi sphere of influence with a substantial Jewish population. Adolph Eichmann was delighted to accept the Hungarian assignment, the big job that would reestablish his reputation in the Nazi hierarchy as an organizational genius.

At about the time Eichmann was completing his mission, a young Swedish gentile, Raoul Wallenberg, arrived to frustrate his efforts and save, according to historians, between 30,000 and 100,000 Jewish lives.

Wallenberg had been granted inexhaustible amounts of cash and freed of diplomatic and bureaucratic restrictions. He drew up ornate Swedish "protective passes" (which had no real authority) and then in the name of king and country bullied junior officers into unloading the "protected" from cattle cars bound for Auschwitz. He stormed into interrogations, where he "discovered" prisoners under the protection of the Swedish king. He bombarded the Hungarian and German governments with paperwork to slow their administrative processes.

When the end came, Wallenberg prevented an eleventh-hour massacre of the Jewish ghetto, then flagged down some Russian liberators. He has never been seen free again.

Bierman presents a detailed history of Wallenberg's imprisonment in the Gulag Archipelago, and of the pathetic ineffectiveness of the West's attempts to free him through regular channels. Sweden failed to trade a spy for Wallenberg, thus missing an early opportunity to obtain his release. The U.S. did little, Israel nothing. There has been a lot of recent interest in Wallenberg's case—a bill was introduced in Congress to grant him U.S. citizenship—but it may be too late.

—M. H.

The Rise of Political Consultants: New Ways of Winning Elections. *Larry Sabato. Basic, $17.95.*

The Road to Pearl Harbor: 1941. *Richard Collier. Atheneum, $16.95.*

Somoza: American-Made Dictator. *Bernard Diederich. Dutton, $17.50.*

The Ten Thousand Day War: Vietnam: 1945-1975. *Michael Maclear. St. Martin's, $16.95.*

Woodrow Wilson: A Medical and Psychological Biography. *Edwin A. Weinstein. Princeton, $18.50.*

Working the Street: Police Discretion and the Dilemmas of Reform. *Michael K. Brown. Russell Sage, $15.* For the average cop on the beat, crime-fighting just doesn't pay. This book describes how administrators downtown get in the way of the officers on the streets. Brown also explains how the strong bond of loyalty among officers works against bureaucratic interference.

The problems within police forces are all too familiar: abuse and misuse of power, lack of communication within the hierarchy, cover-ups of mistakes or misconduct, differences between the department's expectations and the realities of the street. But except for a brief outline at the end, the author fails to discuss possibilities for reform.

—Patty Palmer

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"There are still huge reserves of American oil left behind in oil fields that were tapped thirty or forty years ago," says Gulf Area Engineer John Shamburger. "In those days, crude was only two or three dollars a barrel, so we would operate an oil well only as long as the oil could be pumped up easily and inexpensively. It made more sense to drill new wells than to squeeze every drop out of old ones."

"In many of these old we[illegible] the underground pressure is so low that the oil won't come up without some extra help. The extra help is called tertiary recovery, and it's a whole technology in itself. Here at Heidelberg, Mississippi, we started experimenting with it in 1971.

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